FINAL

ENVIRONMENTAL ASSESSMENT FOR THE EXPANSION AND OPERATION OF A U.S. BORDER PATROL FIRING RANGE NEAR FABENS, EL PASO COUNTY, TEXAS



U.S. Department of Homeland Security U.S. Customs and Border Protection U.S. Border Patrol Washington, D.C.

February 2008

For the Expansion and Operation of a U.S. Border Patrol Firing Range Near Fabens, El Paso County, Texas

PROJECT HISTORY: United States (U.S.) Customs and Border Protection (CBP) is the Federal agency responsible for enforcing the laws regulating the admission of illegal aliens into the U.S. As part of CBP, U.S. Border Patrol (USBP) is responsible for maintaining control of the U.S. borders. The USBP's primary mission is to prevent the entry of those who attempt to illegally enter or smuggle persons or contraband across the border by detection, interdiction and apprehension.

The USBP, El Paso Sector is responsible for carrying out its mission in the southwestern Texas border region through station-level operations. To accommodate the growing need for more agents in the El Paso Sector as required for implementation of the Secure Border Initiative and the National Strategic Plan, CBP intends to expand the Fabens Firing Range capacity. CBP prepared the *Environmental Assessment for the Expansion and Operation of an Office of Border Patrol Firing Range Near Fabens, El Paso County, Texas* to address this proposed project and meet the requirements of the National Environmental Policy Act.

PURPOSE AND NEED: The purpose of the proposed action is to provide a state-of-the art firing range where USBP agents can qualify with a range of small arms weapons. Qualification with a variety of weapons is critical for law enforcement duties; would enhance agent capabilities; provide a safer working environment for the USBP personnel; and further facilitate USBP's mission to gain, maintain, and extend control of the U.S.-Mexico border.

The existing Fabens Firing Range is situated on approximately 15 acres of land and currently provides 18 firing lanes. Approximately 1,100 USBP agents from the El Paso, Ysleta, Fabens, and Fort Hancock Stations currently use the existing facilities to qualify on small arms usage each quarter. In addition, other Federal and state law enforcement agencies use the firing range facility. A new, larger range is needed to accommodate the increase in agents in the El Paso Sector. No other firing range in the vicinity of these USBP stations is available for USBP firing practice and training. The need for the indoor range is based on operational and programmatic concerns that it would lessen noise and environmental issues, allow for firing range use in inclement weather, provide a safety and noise buffer, and would also accommodate the increase in USBP agents from the Texas offices of the El Paso Sector.

ALTERNATIVES: Two alternatives were identified during the planning stages of the proposed project and carried forward for detailed analyses: (1) no further development (No Action Alternative); and (2) the lease acquisition of 304 acres of property, modification to the existing firing range, and construction of additional outdoor firing lanes and an indoor modular firing range. In addition, a modular classroom, infrastructure improvements (*i.e.* road surfacing, water well installation, *etc.*), and additional fencing would be constructed (Proposed Action Alternative). Given the specific USBP stations supported by Fabens Firing Range, the relocation of the range to other areas would reduce its effectiveness for the local USBP agents. Therefore, no other locations were evaluated because they did not meet the project's purpose and need.

Proposed Action Alternative: The Proposed Action Alternative would be to expand the current Fabens outdoor firing range by 10 lanes (to a total of 28 lanes), construct an additional 18 to 20 lane outdoor firing range and a new modular indoor firing range, also called a QuickRange™ with appropriate support facilities and buildings that include 4-firing lanes. The footprint for the construction and expansion of the Proposed Action Alternative would not require any additional acreage, and would remain within the existing 15 acres currently used for the firing range facilities. The remaining 289 acres would serve as a safety, noise, and security buffer. No construction or

For the Expansion and Operation of a U.S. Border Patrol Firing Range Near Fabens, El Paso County, Texas

USBP activities would occur within this buffer area, with the exception of placing fencing around the perimeter. Under this alternative, property would be leased from the University of Texas System. Support facilities would include a 40- by 60-foot modular building containing a classroom, weapons cleaning area, restrooms, and storage. Lighting along the 15-acre perimeter would be sexpanded to illuminate the entire firing range facility. New 3-phase electrical transmission lines would be added to the site for support of the expansion and the new indoor range. In addition, the entire 304 acres would be fenced by barbed wire, while the ranges, modular buildings and offices would be surrounded with 6-foot tall chain link fencing and an access gate. The Proposed Action Alternative site is located northeast of the Town of Fabens, Texas. Currently, it is anticipated that this Proposed Action Alternative would take approximately 60 to 90 days for construction of new and expanded facilities.

No Action Alternative: Currently there is an 18-lane firing range, administrative facilities and a helipad. The No Action Alternative would require the firing range to remain on the current 15 acres, in its present configuration with no certain future expectations of a new, larger firing range facility for the increasing number of agents and staff, or upgrade of buildings or other needs. Although the No Action Alternative does not meet the purpose and need, it will be carried forward for analysis as required by the President's Council on Environmental Quality (CEQ) regulations.

ENVIRONMENTAL CONSEQUENCES: No significant adverse effects to the natural or human environment are expected upon implementation of the Proposed Action Alternative. Implementation of the Proposed Action Alternative would ultimately remove 15 acres of soil and vegetation communities from biological production. Air quality, water quality, and noise would be temporarily impacted by construction activities, but would return to baseline conditions after the completion of construction. There would be minor impacts to transportation associated with increased traffic and noise from increased range usage; however, this would not differ from the No Action Alternative. There would be minor indirect impacts to water resources from increased water use for dust suppression.

ENVIRONMENTAL DESIGN MEASURES: Environmental design measures that will be implemented by the USBP for the Proposed Action Alternative include:

<u>Soils</u> Suitable fencing will be installed around the perimeter of the facility to contain vehicles and people and prevent accidental impacts to soils on adjacent properties. A Storm Water Pollution Prevention Plan (SWPPP) will be prepared prior to construction activities. Best Management Practices (BMPs) described in the SWPPP will be implemented to reduce erosion. All areas not immediately developed will be landscaped with native plant species, where appropriate, in order to minimize erosion.

<u>Biological Resources</u> Construction equipment will be cleaned prior to entering and departing the project corridor to minimize the spread and establishment of non-native invasive plant species. Disturbed soils located in temporary impact areas will be re-vegetated.

The Migratory Bird Treaty Act requires that Federal agencies coordinate with U.S. Fish and Wildlife Service (USFWS) if a construction activity would result in the "take" of a migratory bird. If construction or clearing activities were scheduled during the nesting season (March 15-September 15) preconstruction surveys for burrowing owls and other migratory bird species will occur immediately prior to the start of any construction activity to identify active nests. If construction activities would result in the "take" of a migratory bird, then coordination with

For the Expansion and Operation of a U.S. Border Patrol Firing Range Near Fabens, El Paso County, Texas

USFWS and Texas Parks and Wildlife Department (TPWD) will occur, and applicable guidelines will be followed prior to construction or clearing activities. Another environmental design measure that would be considered is to schedule all construction activities outside the nesting season, negating the requirement for nesting bird surveys.

CBP will avoid Texas horned lizards (*Phrynosoma comutum*) to the extent possible; however, where avoidance is impractical, consultation with TPWD will be conducted to identify conservation measures and reasonable and prudent measures, such as using biologists to monitor construction progress and conduct post-project, long-term monitoring, as deemed necessary. During belowground construction, construction personnel will avoid leaving open trenches to minimize the risk of injury or death to wildlife.

<u>Cultural Resources</u> Although no cultural resources were found to be present in the project area, unanticipated subsurface deposits are possible at any undertaking that disturbs the ground surface. If previously unknown cultural resources are exposed by construction activities associated with the proposed development, work will stop in the immediate vicinity, the resources will be protected, and State Historic Preservation Officer (SHPO) will be notified within 24 hours of discovery. If, in consultation with SHPO, it is determined that the resource is significant and cannot be avoided by construction, then an archaeological data recovery plan will be prepared and implemented in consultation with SHPO.

If unmarked human burials are discovered during construction, work will stop in the immediate vicinity, the remains will be protected, and the local law enforcement agency and SHPO will be notified as soon as possible. The location of the unmarked human burial will be documented, and the provisions of the Native American Graves Protection and Repatriation Act (NAGPRA) will be implemented, including consultation with Native American tribes.

Air Quality Suitable fencing to restrict traffic within the project area will be constructed to reduce soil disturbance. Soil watering will be utilized to minimize airborne particulate matter created during construction activities. Bare ground will be covered with hay or straw to lessen wind erosion between facility construction and landscaping. After the construction is complete, all areas with vehicle traffic will be paved to reduce the potential for fugitive dust, and landscaping will be designed to prevent or lessen wind fugitive dust creation. Additionally, all construction equipment and vehicles will be kept in good operating condition to minimize exhaust emissions.

<u>Water Resources</u> Because the impact area is greater than 1 acre, as part of the National Pollutant Discharge Elimination System (NPDES) permit process, a SWPPP and Notice of Intent will be submitted to Texas Commission on Environmental Quality (TCEQ) prior to the start of construction. Sedimentation and pollution of surface waters by fuels, oils and lubricants will be minimized through the implementation of the SWPPP.

Noise During the construction phase, short-term noise impacts are anticipated. All Occupational Safety and Health Administration requirements will be followed. To lessen noise impacts to the local residents and wildlife communities, construction will only occur during daylight hours whenever possible. All motor vehicles will be maintained to reduce the potential for vehicle-related noise. A buffer area around the 15-acre firing range will be maintained to minimize noise disturbance outside the project area.

For the Expansion and Operation of a U.S. Border Patrol Firing Range Near Fabens, El Paso County, Texas

<u>Solid and Hazardous Wastes</u> BMPs for small arms firing ranges can prevent the spread of contamination, specifically lead contamination, and lessen environmental and occupational health problems from the operation and maintenance of the range, and are listed below.

- Stagger firing lane usage
- Vegetative cover
- Improve berm maintenance and repair
- Lead removal and recycling
- Soil pH modifiers
- Alternative shot material usage
- L'ead fixation technologies
- Whole backstop and bullet pocket management
- Backstop contouring
- Stormwater channels and buffer strips
- Detention basins
- Clay layers and barriers

Several of these BMPs are currently in use at the firing range, such as dust suppression mechanisms, stormwater channels, and detention basins. Use of additional BMPs can significantly prevent any environmental degradation to humans and wildlife in future land reuse and potentially limits legal liability.

In accordance with TCEQ regulations, any activity which disturbs the final cover of the closed municipal solid waste landfill must have prior written approval from the executive director of TCEQ at least 45 days prior to the start of construction activities. Activities, such as the installation of fence posts, light poles and foundations, would classify as construction activities which could potentially impact landfill final cover and require authorization.

In addition to these BMPs, care will be taken to avoid impacting the project area with hazardous substances (i.e., anti-freeze, fuels, oils, lubricants) used during construction. Catch pans will be used when refueling, and equipment necessary to quickly contain any spills will be present during refueling.

<u>Transportation</u> During the design phase of the firing range construction, measures to assure that impacts to traffic flow are minimized will be considered. Additional vehicular entrances, speed zones, traffic signals or signs will be reviewed as measures to ease the impacts of traffic. The CBP will coordinate with Texas Department of Transportation and El Paso County to address any traffic or safety impacts associated with the Proposed Action Alternative.

<u>Socioeconomics</u> Whenever possible, materials and other project expenditures will be obtained through merchants in the local community. All construction activities, regardless of the area, will be limited to daylight hours whenever possible. Safety buffer zones will be designated around all construction sites to ensure public health and safety.

For the Expansion and Operation of a U.S. Border Patrol Firing Range Near Fabens, El Paso County, Texas

FINDING: Based upon the results of the environmental assessment and the environmental design measures to be incorporated as part of the Proposed Action Alternative, it has been concluded that the Proposed Action Alternative will not have a significant adverse effect on the environment. Therefore, no further environmental impact analysis is warranted.

1/23/08

Robert F. Janson

Acting Executive Director

Asset Management

U.S. Customs and Border Protection

Victor M. Manjarrez, Jr.

Chief Patrol Agent U.S. Border Patrol El Paso Sector

BW1 FOIA CBP 005053

Final

ENVIRONMENTAL ASSESSMENT FOR THE EXPANSION AND OPERATION OF A U.S. BORDER PATROL FIRING RANGE NEAR FABENS, EL PASO COUNTY, TEXAS

FEBRUARY 2008

Lead Agency: Mark Gable

Environmental Program Manager

U.S. Department of Homeland Security U.S. Customs and Border Protection

Dallas Facility Center

7701 North Stemmons Freeway

Dallas, TX 75247-4232

Point of Contact: Charles McGregor

U.S. Army Corps of Engineers Fort Worth CESWF-PM-ECSO 819 Taylor Street Room 3B10 Fort Worth, TX 76102-0300

EXECUTIVE SUMMARY

PROPOSED ACTION:

The United States (U.S.) Border Patrol (USBP) EI Paso Sector proposes the expansion of the existing 15-acre Fabens Firing Range near Fabens, Texas. USBP proposes to lease 304 acres of property from the University of Texas System to expand an existing USBP firing range and associated facilities. The existing 18-lane firing range would have a canopy and baffles installed, reconstruction of the surrounding safety berm, enhancement of the water drainage system, and surfacing of the range access road. The new facilities would include an 18- to 20-lane outdoor fully baffled and canopied range, an indoor firing range modular building, a 60-foot x 40-foot modular classroom, expansion of perimeter lighting of 15 acres, installation of a water well and perimeter fencing.

PURPOSE AND NEED FOR THE PROPOSED ACTION:

The purpose of this expansion is to support the mission of USBP El Paso Sector. The proposed property lease acquisition and expansion of the firing range would accommodate the growing need for more agents in the El Paso Sector as required for implementation of the Secure Border Initiative and the National Strategic Plan.

Fabens Firing Range expects an increase in agent firing range usage from the current 1,100 agents per quarter to approximately 1,800 per quarter. The projected agent increase would require additional lanes to enable USBP agents to remain proficient on their assigned weapons.

ALTERNATIVES CONSIDERED:

There are two alternatives under consideration: The No Action Alternative and the Proposed Action Alternative (described above). Under the No Action Alternative, Fabens Firing Range would remain at its present location with no expansion of the outdoor firing range and with no indoor firing range capabilities at the site.

ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION:

Implementation of the Proposed Action Alternative would ultimately remove 15 acres of soil and vegetation communities from biological production. The perimeter fencing would limit access to wildlife. Air quality, water quality, and noise would be temporarily impacted by construction activities, but would return to baseline conditions after the completion of the construction activities. There would be minor impacts to transportation associated with increased traffic and to noise from increase range usage. There would be minor indirect impacts to water resources.

CONCLUSIONS:

Based on the findings of this analysis and the assumption that all design measures recommended herein are implemented, no significant adverse impacts would occur from the Proposed Action Alternative, and no additional National Environmental Policy Act documentation is warranted.

THIS PAGE LEFT INTENTIONALLY BLANK

TABLE OF CONTENTS

EXE	CUTIVE	SUMMARY	ii	
1.0		DDUCTION		
1.1		BACKGROUND		
1.2		REGULATORY AUTHORITY		
1.3		ECT AREA LOCATION		
1.4	PURP	OSE AND NEED	1-6	
1.5 1.6		CABLE ENVIRONMENTAL STATUTES AND REGULATIONS		
2.0 2.1	ALTE	ALTERNATIVESALTERNATIVES CARRIED FORWARD		
Z. I		No Action Alternative		
		Proposed Action Alternative		
2.2		MARY		
3.0	AFFF	CTED ENVIRONMENT	3-1	
3.1		USE		
3.2)		
		Prime Farmland		
3.3	BIOLO	OGICAL RESOURCES		
	3.3.1	- 9		
		3.3.1.1 Project Area Vegetation		
		3.3.1.2 Non-native and Invasive Plant Species		
	3.3.2	Wildlife Resources		
	3.3.3	Protected Species and Critical Habitat		
		3.3.3.1 Federal Endangered Species		
		3.3.3.3 State Endangered Species		
3.4	CHIT	URAL RESOURCES		
J. 4	3.4.1			
	0.1.1	3.4.1.1 Paleo-Indian Period		
		3.4.1.2 Archaic Period		
		3.4.1.3 Late Prehistoric Period		
		3.4.1.4 Historic Period		
	3.4.2	Results of Past and Current Surveys	3-16	
3.5	WATE	R RESOURCES	3-16	
	3.5.1	Water Quality	3-16	
	3.5.2	Surface Water		
	3.5.3	Ground Water		
	3.5.4	Waters of the U.S. and Wetlands		
3.6		UALITY		
0.7	3.6.1	Federal and State Standards		
	3.6.2	Status of Air Quality		
	3.6.3	Conformity Rule Requirements		
3.7		AND HAZARDOUS WASTES	_	
	3.7.1	Hazardous Material Regulatory Applicability		
	3.1.2	3.7.2.1 Resource Conservation and Recovery Act (RCRA)		
		- 5.7.2.1 NOSCUICE CONSCIVATION AND NECOVERY ACT (NONA)		

		3.7.2.2 Clean Water Act			3-24
		3.7.2.3 Comprehensive Environmental Response Liability Act (CERCLA)			3-24
3.8	NOISE	=			
3.9	SOCIO	DECONOMICS			3-25
	3.9.1	Population and Demographics			
	3.9.2	Employment, Poverty Levels and Income			
	3.9.3	Housing			
	3.9.4	Environmental Justice			
		Protection of Children			
3.10		SPORTATION			
4.0	ENVIRONMENTAL CONSEQUENCES				
4.1	LAND				
	4.1.1	No Action Alternative			
	4.1.2	Proposed Action Alternative			
4.2)			
	4.2.1				
		Proposed Action Alternative			
4.3		OGICAL RESOURCES			
	4.3.1	3			
		4.3.1.1 No Action Alternative			
		4.3.1.2 Proposed Action Alternative			
	4.3.2	Wildlife			
		4.3.2.1 No Action Alternative			
		4.3.2.2 Proposed Action Alternative			
	4.3.3	Threatened and Endangered Species			
		4.3.3.1 No Action Alternative			
		4.3.3.2 Proposed Action Alternative			
	4.3.4	Non-native and Invasive Plants			
		4.3.4.1 No Action Alternative			
		4.3.4.2 Proposed Action Alternative			4-5
4.4	CULT	URAL RESOURCES			4-6
	4.4.1	No Action Alternative			4-6
	4.4.2	Proposed Action Alternative			4-6
4.5	WATE	R RESOURCES			4-6
	4.5.1	Surface and Ground Water			4-7
		4.5.1.1 No Action Alternative			4-7
		4.5.1.2 Proposed Action Alternative			4-7
	4.5.2	Water Quality			4-8
		4.5.2.1 No Action Alternative			
		4.5.2.2 Proposed Action Alternative			4-8
	4.5.3	Wetlands and Waters of the U.S.			
		4.5.3.1 No Action Alternative			
		4.5.3.2 Proposed Action Alternative			
4.6	AIR Q	UALITY			
	4.6.1				
	_	Proposed Action Alternative			
4.7	SOLID	AND HAZARDOUS WASTE			4-10
	4.7.1				
		Proposed Action Alternative			

4.8	NOIS	E	
	4.8.1	No Action Alternative	
	4.8.2	Proposed Action Alternative	
4.9		OECONOMICS	
	4.9.1	No Action Alternative	
	4.9.2	Proposed Action Alternative	
	4.9.3	Executive Order 12898, Environmental Justice	
		4.9.3.1 No Action Alternative	
	4.9.4	4.9.3.2 Proposed Action Alternative Executive Order 13045, Protection of Children	
	4.9.4	4.9.4.1 No Action Alternative	
		4.9.4.2 Proposed Action Alternative	
4.10	TRAN	SPORTATION	
4.10		1 No Action Alternative	
		2 Proposed Action Alternative	
5.0		ULATIVE EFFECTS	
3.0	5.1	No Action Alternative	
	5.2	Proposed Action Alternative	
6.0	ENVI	RONMENTAL DESIGN MEASURES	
6.1		ERAL CONSTRUCTION ACTIVITIES	
6.2		S	
6.3		OGICAL RESOURCES	
6.4		URAL RESOURCES	
6.5		QUALITY	
6.6		ER RESOURCES	
6.7	NOIS	E	6-4
6.8		D AND HAZARDOUS WASTES	
6.9		ISPORTATION	
6.10	SOCI	OECONOMICS	6-6
7.0		LIC INVOLVEMENT	
7.1	_	NCY COORDINATION	
7.2	PUBL	IC REVIEW	7-1
8.0	REFE	RENCES	8-1
9.0	ACRO	ONYMS/ABBREVIATIONS	9-1
10.0	LIST	OF PREPARERS	10-1

LIST OF FIGURES

Figure 1-2. Project Location Map	Figure 1-1. Project Vicinity Map	
Figure 2-2. Firing Range Facility Conceptual Design		
LIST OF TABLES Table 1-1. Applicable Environmental Statutes and Regulations		
LIST OF TABLES Table 1-1. Applicable Environmental Statutes and Regulations		
Table 1-1. Applicable Environmental Statutes and Regulations	Figure 3-1. Proposed Action Alternative Soils Map	3-3
Table 2-1. Alternative Matrix	LIST OF TABLES	
Table 2-2. Summary Matrix of Potential Impacts	Table 1-1. Applicable Environmental Statutes and Regulations	1-7
Table 3-1. Federally Listed, Proposed, and Candidate Species Potentially Occurring within El Paso County, Texas		
within El Paso County, Texas		
Table 3-2. Prehistoric Cultural Phases and Age Estimates from Choke Canyon Reservoir		
Reservoir	• ·	
Table 3-3. National Ambient Air Quality Standards		
Table 3-4. Typical Contaminants of Concern in Landfill Leachate		
Table 3-5. Contaminants of Concern at Small Arms Firing Ranges		
Table 3-6. A-Weighted (dBA) Sound Levels of Typical Noise Environments 3-25 Table 4-1. Total Air Emissions (tons/year) from Construction Activities 4-9 Table 6-1. BMPs for Small Arms Firing Ranges 6-5 LIST OF PHOTOGRAPHS Photograph 1-1. Administrative section of the range 1-1 Photograph 1-2. Firing range section of the range 1-1 Photograph 3-1. Chihuahuan desertscrub vegetation in the project area 3-5 LIST OF APPENDICES Appendix A. Texas Noxious Plants List Appendix B. Endangered and Protected Species Lists Appendix C. Air Quality Calculations		
Table 4-1. Total Air Emissions (tons/year) from Construction Activities		
Table 6-1. BMPs for Small Arms Firing Ranges		
LIST OF PHOTOGRAPHS Photograph 1-1. Administrative section of the range		
Photograph 1-1. Administrative section of the range	Table 6-1. Bivins for Small Arms Filling Ranges	00
Photograph 1-2. Firing range section of the range	LIST OF PHOTOGRAPHS	
Photograph 3-1. Chihuahuan desertscrub vegetation in the project area	Photograph 1-1. Administrative section of the range	1-1
LIST OF APPENDICES Appendix A. Texas Noxious Plants List Appendix B. Endangered and Protected Species Lists Appendix C. Air Quality Calculations		
Appendix A. Texas Noxious Plants List Appendix B. Endangered and Protected Species Lists Appendix C. Air Quality Calculations	Photograph 3-1. Chihuahuan desertscrub vegetation in the project are	a3-5
Appendix B. Endangered and Protected Species Lists Appendix C. Air Quality Calculations	LIST OF APPENDICES	
Appendix B. Endangered and Protected Species Lists Appendix C. Air Quality Calculations	Appendix A. Texas Noxious Plants List	
Appendix C. Air Quality Calculations		
· ' '	· · · · · · · · · · · · · · · · · · ·	
	• •	

SECTION 1.0 INTRODUCTION

1.0 INTRODUCTION

United States (U.S.) Customs and Border Protection (CBP), U.S. Border Patrol (USBP), El Paso Sector has prepared this Environmental Assessment (EA) to addresses the potential effects, beneficial and adverse, from the expansion and operation of an USBP Firing Range near Fabens, Texas (Figure 1-1). CBP proposes to lease approximately 304 acres of real property from the University of Texas System for construction of the proposed firing range additions, associated facilities, and a noise and safety buffer. The existing 15-acre firing range currently resides within the 304 acres of land proposed for lease by USBP. The range has operated on the current 15 acres since 1978 and supports small arms training for the El Paso, Ysleta, Fabens, and Fort Hancock stations of the El Paso Sector. In addition, the firing range has been, and is currently used by Texas Department of Public Safety and other Federal and state law enforcement agencies. USBP proposes to expand Fabens Firing Range (FFR) facilities to accommodate the increasing agent force deployed to the El Paso Sector under the USBP's National Strategic Plan. The National Strategic Plan was designed to gain and maintain control of the U.S. borders (CBP 2004).

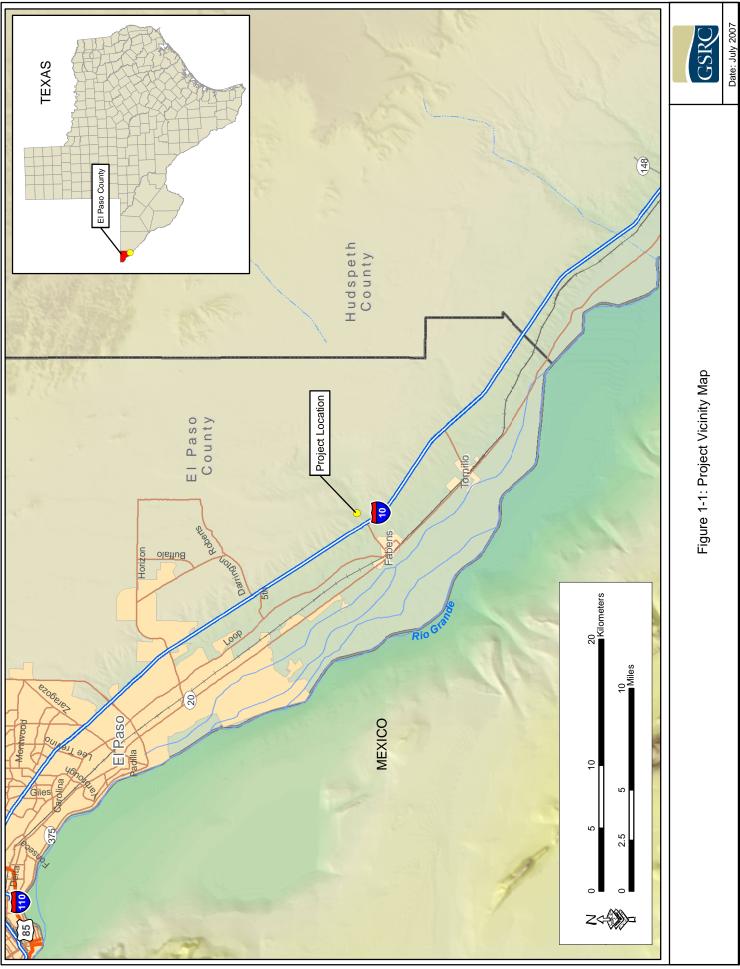
The current FFR consists of 15 acres located within the proposed 304-acre project area. The current 15-acre firing range footprint is considered to be disturbed land from its use as a firing range and from vehicle transportation around the area for range maintenance. FFR is considered a small arms firing range, as the range regularly accepts .50 caliber or smaller nonexploding ammunition. At the present time, the firing range includes an outdoor 18-lane range with an administrative section and a firing range section. The administrative section (Photograph 1-1) consists of a trailer, storage building, picnic area and water tank while the firing range section (Photograph 1-2) includes a shelter, restroom, water tank, observational tower with warning flag,



Photograph 1-1. Administrative section of the existing range.



Photograph 1-2. Firing range section of the existing range.



generator and storage building. USBP proposes to modify the current outdoor range and drainage system, build an 18-20 lane secondary outdoor firing range, and construct a modular indoor range (QuickRange™). To support these facilities USBP would also drill a water well for range wetting and dust suppression and pave an existing road with asphalt. Additional fencing would be installed around the perimeter of the 304-acre parcel for safety and security considerations. The proposed firing range expansion would remain within the previously disturbed 15-acre footprint. The remainder of the property (289 acres) would be used as a noise and safety buffer for the firing range.

This EA was prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, the Council on Environmental Quality (CEQ) regulations implementing NEPA (Title 40 of the U.S. Code of Federal Regulations [CFR], Parts 1500-1508), and the Department of Homeland Security (DHS) Management Directive 5100.1, which is the Environmental Planning Program Directive that outlines CBP's procedures for the implementation of NEPA.

1.1 CBP BACKGROUND

In 1924, Congress created USBP to serve as the law enforcement entity of Immigration and Naturalization Service (INS), which it did until November 25, 2002. With the passage of the Homeland Security Act of 2002 (Public Law [PL] 107-296), Congress transferred all INS responsibilities to the newly created DHS. CBP also assumes many responsibilities and functions of other branches of INS, as well as those of U.S. Customs Service and Animal and Plant Health Inspection Service.

The mission of CBP is to prevent terrorists and terrorist weapons from entering the U.S. (CBP 2004). This mission involves maintaining a diverse, multi-layered approach, which includes improving security along the international borders and of ports of entry. As part of this mission, the CBP works to implement its *National Border Patrol Strategy* (CBP 2004), identify and seize terrorists' assets and funding sources, and enhance the support infrastructure to further develop targets and analyses.

The implied tasks of this mission are to strengthen U.S. borders, to prevent the entry of terrorists and terrorist weapons, smugglers, illegal aliens (IAs), narcotics, and other contraband. The principle objective of USBP is to apply appropriate levels of personnel, intelligence, technology,

and infrastructure resources to increase the level of operational effectiveness until the likelihood of apprehension is sufficient enough to be an effective deterrent that conveys an absolute certainty of detection and apprehension.

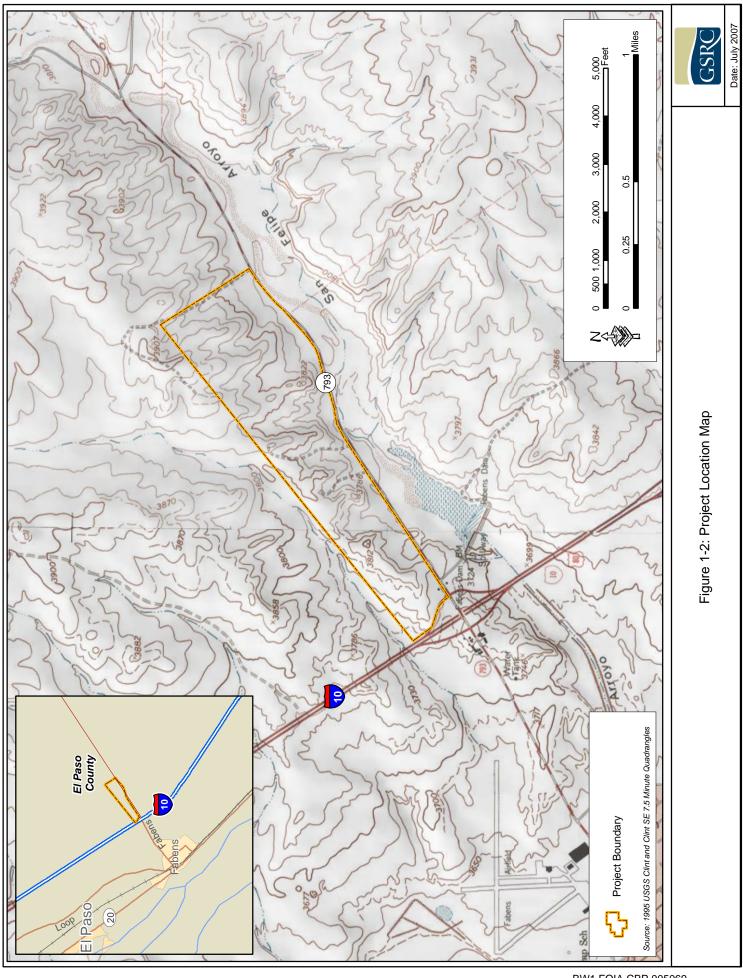
1.2 REGULATORY AUTHORITY

The primary sources of authority granted to USBP agents are the Immigration and Nationality Act (INA), found in Title 8 of the United States Code (USC), and other statutes relating to the immigration and naturalization of aliens. The secondary sources of authority are administrative regulations implementing those statutes, primarily those found in Title 8 of the CFR (Section 287), judicial decisions, and administrative decisions of the Board of Immigration Appeals. In addition, the Illegal Immigration Reform and Immigrant Responsibility Act, and subsequently the Homeland Security Act of 2002, mandates DHS to acquire and improve equipment and technology along the border, hire and train new agents for the border region, and develop effective border enforcement strategies.

The statutory provisions related to enforcement authority are found in Sections 287(a), 287(b), 287(c), and 287(e) [8 USC § 1357(a,b,c, and e)]; Section 235(a) [8 USC § 1225]; Sections 274(b) and 274(c) [8 USC § 1324(b,c)]; Section 274(a) [8 USC § 1324(a)]; and Section 274(c) [8 USC § 1324(c)] of the INA. Other statutory sources of authority are Title 18 of the USC, which has several provisions that specifically relate to enforcement of immigration and nationality laws; Title 19 [19 USC § 1401(i)], relating to U.S. Customs Service cross-designation of immigration officers; and Title 21 [21 USC § 878], relating to Drug Enforcement Agency cross-designation of immigration officers.

1.3 PROJECT AREA LOCATION

The project area is located on 304 acres directly northeast of the intersection of Interstate 10 (I-10) and Texas Farm to Market Road 793 (FM 793), and approximately 33 miles southeast of the City of El Paso in El Paso County, Texas (Figure 1-2).



1.4 PURPOSE AND NEED

The purpose of the proposed action is to provide a state-of-the art firing range where USBP agents can qualify with a range of small arms weapons. Qualification with a variety of weapons is critical for law enforcement duties, and would sustain agent proficiency, provide a safer working environment for USBP agents, and further facilitate USBP's mission to gain, maintain, and extend control of the U.S.-Mexico border. Various training classes are held at the firing range and include: quarterly training; remedial training; tactical firearms instruction; firearms instructor and range safety officer training; and night (low level light) training. The existing FFR currently provides 18 firing lanes, and is situated on approximately 15 acres of land located within the proposed 304-acre lease acquisition. Currently approximately 1,100 USBP agents from the El Paso, Ysleta, Fabens, and Fort Hancock Stations use the existing facilities to qualify on small arms usage each quarter. No other firing range in the vicinity of these USBP stations is available for USBP firing practice and training. In addition, other Federal and state law enforcement agencies use FFR for small arms practice. It is anticipated that under the Secure Border Initiative and the National Strategic Plan, 1,800 agents would use the range per quarter. A new, larger range is needed to accommodate the increased number of agents in the El Paso Sector so that all agents t required to use the range can do so in a safe and timely manner.

The need for the indoor range is based on operational and programmatic concerns that it would lessen noise and environmental issues, allow for use of the firing range in inclement weather, and would also accommodate the increase in USBP agents from the Texas offices of the El Paso Sector.

To summarize, the purpose and need for this proposed facility expansion is to:

- support additional agents in the El Paso Sector, Texas stations;
- provide safer working conditions;
- allow agents to train in inclement weather;
- allow agents increased effectiveness in the performance of their duties; and
- enhance USBP's mission to gain, maintain, and extend control of the U.S.-Mexico border.

1.5 APPLICABLE ENVIRONMENTAL STATUTES AND REGULATIONS

This EA was prepared by DHS-CBP and USBP, in accordance with the NEPA of 1969; Endangered Species Act (ESA) of 1973, as amended; the National Historic Preservation Act (NHPA) of 1966, as amended; the Archaeological and Historical Preservation Act of 1974, as amended; Executive Order (EO) No. 11593, "Protection and Enhancement of the Cultural Environment"; EO No. 11988, "Floodplain Management"; EO No. 11990, "Protection of Wetlands"; EO No. 13007, "Indian Sacred Sites"; EO No. 13045, "Protection of Children from Environmental Health Risks"; and EO No. 12898 "Federal Actions to Address Environmental Justice." Table 1-1 summarizes the applicable environmental statutes and regulations that guided the development of this EA.

Table 1-1. Applicable Environmental Statutes and Regulations

Federal Statutes			
Archaeological and Historical Preservation Act of 1974, as amended			
Clean Air Act of 1955, as amended			
Clean Water Act of 1977, as amended			
Endangered Species Act of 1973, as amended			
Migratory Bird Treaty Act of 1972			
National Historic Preservation Act of 1966, as amended			
National Environmental Policy Act of 1969, as amended			
Watershed Protection and Flood Prevention Act of 1954			
Wild and Scenic Rivers Act of 1968, as amended			
Farmland Protection Policy Act of 1980			
Native American Graves Protection and Repatriation Act of 1990			
Executive Orders, Memorandums, etc.			
Floodplain Management (EO 11988) of 1977			
Protection of Wetlands (EO 11990) of 1977			
Federal Actions to Address Environmental Justice to Minority Populations and Low-Income			
Populations (EO 12898) of 1994			
Protection of Children from Environmental Health Risks (EO 13045) of 1997			
Protection of Migratory Birds & Game Mammals (EO 11629) of 2001			
Indian Sacred Sites (EO 13007) of 1996			
Consultation and Coordination with Indian Tribal Governments (EO 13175) of 2000			
Government-to-Government Relations with Native American Tribal Governments (Presidential			
Memorandum) of 1994			

1.6 REPORT ORGANIZATION

This EA is divided into ten sections, including this section. Section 2 describes the alternatives that would satisfy the stated purpose and need. Current environmental conditions within the

project area and vicinity are presented in Section 3. The potential impacts, beneficial and adverse, of the considered alternatives are discussed in Section 4. The cumulative effects of past, present, and reasonably foreseeable future actions are discussed in Section 5. Section 6 presents environmental design measures and plans to reduce, eliminate, or compensate for any adverse impacts to the human or natural environment. Section 7 discusses public involvement measures that have been utilized throughout the preparation of this EA in soliciting, obtaining, and incorporating input from the general public and resource agencies. References used while preparing the EA, as cited in the text, are listed in Section 8. A list of acronyms and abbreviations used throughout this EA is provided in Section 9, while the list of persons responsible for preparing the EA is presented in Section 10. Appendix A provides a list of Texas noxious plants, and Appendix B provides a list of Federal and state endangered species. Appendix C provides the results of air quality calculations, and Appendix D provides correspondence with Federal and state agencies, tribes, and interested parties.

SECTION 2.0 ALTERNATIVES

2.0 ALTERNATIVES

The proposed action is to expand a current USBP facility (Figure 2-1); therefore, it would not be feasible to build a new facility at a new location. Given the specific stations supported by FFR, the relocation of the range to other areas would reduce its effectiveness for the local USBP agents. Because no other alternatives meet the project's purpose and need, the only other alternative considered is the No Action Alternative.

2.1 ALTERNATIVES CARRIED FORWARD

The two alternatives carried forward for detailed analyses included: (1) no further development (No Action Alternative); and (2) the lease acquisition of 304 acres of property, the expansion of the current facility, and the maintenance and operation of the FFR facility (Proposed Action Alternative).

2.1.1 No Action Alternative

The No Action Alternative would require the FFR to remain on the current 15 acres, in the current location with no certain future expectations of a new, larger firing range facility to accommodate the increasing number of agents and staff, or upgrade of buildings or other needs. Currently, there is an 18-lane firing range, administrative facilities and a helipad. Although the No Action Alternative does not meet the purpose and need, it will be carried forward for analysis to provide a baseline by which to compare the Proposed Action Alternative.

2.1.2 Proposed Action Alternative

The Proposed Action Alternative includes modifications to the current FFR, such as installing a safety canopy and baffles, reconstruction of the surrounding safety berm, and enhancement of the water drainage system (Figure 2-1). A fully baffled, canopied, 18 to 20 lane secondary range would also be constructed, as well as a new modular indoor firing range, also called a QuickRange™, that includes four firing lanes with appropriate support facilities. The proposed baffle and canopy of the existing and new range lanes would add a significant measure of safety to FFR by ensuring the containment of any small arms fire to within the fully baffled, canopied, and bermed area.