

# **FINAL ENVIRONMENTAL ASSESSMENT**

## **US-VISIT INCREMENT 2C PROOF OF CONCEPT AT SELECT LAND PORTS OF ENTRY**



**US-VISIT**

April 13, 2005



## **EXECUTIVE SUMMARY**

### **BACKGROUND**

The border management responsibilities of the Department of Homeland Security (DHS), as mandated by Congress, are to protect the United States (U.S.) and its territories from threats to national security, and to enforce immigration and customs laws.

DHS created the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program to address the needs and concerns of the border management community in improving the security of the country's air, sea, and land ports while facilitating legitimate trade and travel.

To accomplish their mission, the US-VISIT Program established four goals:

1. Enhance national security.
2. Facilitate legitimate trade and travel.
3. Ensure the integrity of our immigration system.
4. Deploy the US-VISIT Program in accordance with existing privacy laws and policies.

US-VISIT has taken an incremental approach to the implementation of its border management initiative to minimize risk, ensure informed decision-making on future increments, and allow it to adapt its program based on performance results at each step of implementation. Previous implementations have occurred at airports and seaports (Increment 1A and 1B) and some land ports (Increment 2B) for traveler identity verification through the collection of fingerprints and digital photographs.

US-VISIT is now at the "Increment 2C Proof of Concept" stage in the overall process of establishing an automated entry/exit program. Increment 2C will be complete when a validated technology and business process for automatic and remote identification of in-scope (those covered by US-VISIT) travelers crossing into or out of the U.S. is operational at all land border ports of entry (LPOEs).

### **PURPOSE AND NEED FOR THE PROPOSED ACTION**

Current land border management processes are highly manual and do not accurately identify when a foreign traveler has entered or exited the country. Additionally, current land border management processes do not consistently use electronically stored traveler information to assess the security risk a traveler may pose. Electronic historical, biographical, and biometric data is not readily available for identification purposes during inspections when entering the country, and automated checks of lists of known criminals or terrorists are not available at vehicle inspection or upon a traveler exiting the country.

US-VISIT is charged by its mission and Congressional mandate with improving the entry/exit data collection and management processes. Congressional mandates require the creation of an integrated and automated arrival and departure (entry/exit) system that records and matches the entry and exit of travelers at all ports of entry (POEs) allowing for the verification of travelers' identities and the authentication of their travel documents. Congress has passed a number of laws to address border management and the entry and exit of foreign nationals. Given the technological and business challenges in meeting these mandates, the US-VISIT Program carefully needs to test and evaluate, at a proof of concept (POC) level, any concept for automated, passive, and remote identity data collection. This needs to be done in order to efficiently and effectively continue to meet its mission and objectives and provide information to make informed decisions on how to proceed with implementation at additional LPOEs.

## PROPOSED ACTION

The Proposed Action (known as "Increment 2C Proof of Concept") is the proof of concept (POC) implementation of an off-the-shelf (OTS) technology and business concept at five LPOEs. The proposed technology and business process would allow Customs and Border Protection (CBP) Officers and the US-VISIT Program, through the issuance of an automatic identifier (a-ID), to automatically, remotely, and passively record the crossings of in-scope travelers at these select land ports and report on those crossings.

The Increment 2C POC capabilities are broken down into seven processes: a-ID issuance; Pedestrian Entry; Vehicle Entry; a-ID Authentication; Pedestrian Exit; Vehicle Exit; and Reporting.

Current operating procedures require that the first time an in-scope traveler crosses at a LPOE under Increment 2B, the traveler is referred to secondary inspection to determine admissibility. The same procedures will continue in the Increment 2C POC whereby the CBP Officer will collect biographic and biometric information (fingerprints and a facial photograph [unless exempt from the collection of biometric information]) from in-scope travelers, and check against lists of known criminals and terrorists under previously established procedures. Under Increment 2C, the in-scope traveler will then be issued an a-ID. The a-ID will contain a unique identifier (e.g., number) that is associated back to a secure database that houses the in-scope traveler's biographic and biometric data (unless exempt from the collection of biometric information). No biographic or biometric information will be stored on the a-ID. Upon the in-scope traveler's subsequent entry at primary inspection, the system will automatically read and record the traveler's a-ID. Similar to Increment 2B, in-scope travelers will not be required to stop at the border upon exit.

The Increment 2C POC will be deployed in two phases. Phase I will record entry and exit events of issued a-IDs for vehicle entry at primary. For pedestrian entry, Phase I will also include real-time biographic watch-list checks and display them to the CBP Officer. Phase II will upgrade this capability at the same POC LPOEs to read an issued a-ID and link this event with license plate and biographical and biometric data that will be displayed to the CBP Officer for vehicle primary inspection. This technological upgrade, while further enhancing security, is not expected to change the process for the traveler.

Phase II is targeted for implementation approximately seven months following the implementation of Phase I. It is the intent of US-VISIT to have most of the equipment and infrastructure in place for Phase II at the initiation of Phase I.

As travelers depart the U.S. on foot or by vehicle, the system will automatically read and record the a-ID as a reported exit event. In addition, the Increment 2C POC will provide the capability to generate management and analytical reports at both the local and national level.

The US-VISIT Program selected five LPOEs at which to conduct the POC implementation as representative of general operating environments. The LPOEs include: Nogales East, Arizona; Mariposa – Nogales West, Arizona; Alexandria Bay/Thousand Islands, New York; Pacific Highway – Blaine, Washington; and Peace Arch – Blaine, Washington.

The POC at each LPOE will require the installation of transmitting and receiving antennas and associated equipment on both the entry and exit sides of the LPOE in order to be able to capture and record the a-ID entry/exit event.

US-VISIT intends to assess the selected technology and a fully functional business process for at least 90 days after each phase to allow for a full assessment of functionality and potential impacts to operations and the facility. Test results will enable US-VISIT to evaluate the functionality and feasibility of a future implementation at other LPOEs.

**ALTERNATIVES ANALYSIS AND THE PREFERRED ALTERNATIVE**

The US-VISIT Program Office undertook an extensive alternatives identification and screening procedure to identify the Preferred Alternative. The procedure is captured in the five steps listed below. The Preferred Alternative is the technology and business process which best meets the US-VISIT Increment 2C POC purpose and need.

The following steps were used to identify and screen the alternatives.

**STEP 1: Identify the Increment 2C objectives and required operating capabilities**

- Improve the ability to monitor (capture, display, and record) in-scope travelers’ entries and exits.
- Facilitate legitimate trade and travel by not increasing the entry or exit processing time at primary or secondary inspection.
- Support the Congressional request for accelerated implementation.
- Enhanced LPOE traveler processing through issuance of a unique automatic identifier (a-ID) at secondary inspection that automatically, passively, and remotely reads those travelers’ exits and entries.
- Improved identification and admissibility determinations by CBP Officers for in-scope travelers, through a-ID reading and information displays.
- Able to be integrated with currently deployed systems supporting US-VISIT.

**STEP 2: Develop a range of alternatives that could satisfy those objectives and capabilities**

The following table lists the range of alternatives identified and considered for this Proposed Action.

Alternative Solution	Unique Identifier
Biometric Facial Recognition	Traveler’s Face
Biometric Voice Recognition	Traveler’s Voice Signature
Biometric Iris Scans	Traveler’s Iris Signature
Biometric Retinal Scans	Traveler’s Retinal Signature
Biometric Hand Geometry	Traveler’s Hand Geometry
Biometric Finger Scans	Traveler’s Finger Print
Active RFID (Radio Frequency Identification)	RFID issued token
Passive RFID	RFID issued token
GPS (Global Positioning System)	GPS device
Self Service Kiosks (in Canada, Mexico, and U.S.)	Biometric, Machine Readable Travel Document (MRTD) Swipe, Biographic Info Entry
Facilitated Border Crossing	Presence of traveler

**STEP 3: Identify appropriate screening criteria**

US-VISIT screened the alternatives in stages by applying three sets of criteria in order of importance:

1. **Core Capability Criteria** - defined by US-VISIT as those criteria that are critical to meeting the objectives of Increment 2C:
  - Passive technology that would require little to no direct action on the part of the traveler once the a-ID has been issued.
  - Remote technology that should allow the inspector to manage traveler crossings from a distance.

2. ***Border Community Criteria*** - criteria of significant interest to the border community:
  - Result in minimal impacts to the LPOE.
  - Not increase wait times.
  - Not degrade the baseline traffic level of service (LOS) for free-flow exit lanes.
  - Not degrade overall traffic flow.
3. ***General Criteria*** - criteria developed by US-VISIT to minimize traveler impacts and support the accelerated schedule requested by Congress:
  - Be commercially available.
  - Be convenient and safe for the traveler.
  - Respect personal privacy.

#### **STEP 4: Screen alternatives based on criteria**

##### ***Core Capability Screening Criteria***

Of all the alternatives identified for entry and exit, only three alternatives, active Radio Frequency Identification (RFID), passive RFID, and Global Positioning System (GPS), met both the criteria, and thus, were evaluated further for both entry and exit scenarios.

##### ***Border Community Screening Criteria***

All three remaining alternatives measured similarly and favorably against the Border Community Screening Criteria. Therefore, active RFID, passive RFID, and GPS were evaluated further in the final level of screening.

##### ***General Criteria Screening Criteria***

Active RFID, passive RFID, and GPS technologies are all commercially available and widely used in industry today. All three alternatives could also support an accelerated implementation. However, active RFID tags and GPS devices create an inconvenience or burden on the traveler that passive RFID tags do not. The relative size alone of the active RFID tags and GPS devices could cause issues with their storage and handling. The power requirements and battery life also add another level of complexity and potential for failure. Further, active RFID tags and GPS devices are not permitted on planes. This could cause an issue for travelers that utilize different modes of transportation when entering and exiting the U.S. Of the three remaining alternatives, passive RFID best satisfies the facility and traveler impacts criteria.

#### **STEP 5: Identify the Preferred Alternative for POC implementation**

US-VISIT conducted a series of feasibility tests on passive RFID technology to further understand the capabilities and limitations of the various vendors' technology and to begin to establish the POC testing parameters and protocol. The results of the RFID feasibility testing provide information on how the preferred technology will likely be implemented and tested at the LPOEs during the planned 90-day test periods for Phases I and II.

US-VISIT intends to use the POC results to support analysis and decision-making regarding a future full implementation. US-VISIT will conduct appropriate future National Environmental Policy Act (NEPA, 1969) analysis of potential environmental impacts of the full implementation using information gathered from this POC.

#### **PREFERRED ALTERNATIVE**

The Preferred Alternative for this POC is a passive RFID technology utilizing both 'side-fire' (horizontally mounted) and overhead antennas (vertically mounted) at a maximum of 30 watts (vehicle exit) or 5 watts (vehicle entry and pedestrian entry/exit).

In each location the intent would be to locate the antenna support structures in such a manner so as to:

- Not allow a vehicle to turn back on the exit side after moving through the tag detection area.
- Configure pedestrian primary lanes in a manner that accommodates all pedestrian travelers. Pedestrian in-scope travelers will not be required to enter or exit through designated lanes.
- Make maximum use of existing infrastructure on both entry and exit lanes.
- In cases where overhead antennas (above the vehicle) are also required, mount at least 16 feet away from any side-fire antennas to minimize interference.
- On the entry side, mount the antenna(s) as far ahead of the primary inspection booth as reasonable, which will provide the primary CBP Officer time to retrieve the in-scope traveler's information prior to the inspection. This will be dependent on site-specific constraints at each of the five LPOEs.

A possible configuration for inbound lanes could include two steel light poles or an overhead gantry fixed approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. For outbound lanes, a gantry will be constructed in lieu of steel light poles. The light poles/gantries, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas will include those directed inward toward the vehicles (which is referred to as the side-fire position) and/or overhead antennas where necessary.

#### **NO ACTION ALTERNATIVE**

As part of the alternatives analysis, US-VISIT considered and evaluated the No Action Alternative. Under this alternative, existing border management and inspection processes would remain in place and additional data regarding the status of foreign nationals into and out of the U.S. would not be collected utilizing the POC protocols. With a lack of test data and confirmation of the feasibility of the concept, DHS would be unable to implement future increments of its border management initiative. The absence of this information and the halting of its border management initiative would continue to make it more difficult for DHS to identify the location of foreign nationals who present a potential security risk to the U.S. Thus, the required security improvements would not be achieved and legitimate low risk travelers would not see an improvement in their ability to cross the border more efficiently.

This alternative, therefore, does not satisfy the purpose and need of the Proposed Action nor the underlying legal requirements mandated by federal law (IIRIRA, DMIA, Visa Waiver Permanent Program Act, USA PATRIOT Act, Enhanced Border Security and Visa Entry Reform Act). None of the Congressional concerns including visa overstays, the number of illegal foreign nationals in the country, and overall border security issues would be addressed. For these reasons, the No Action Alternative is not considered a viable alternative.

#### **SUMMARY OF ENVIRONMENTAL IMPACTS**

Activities associated with the construction of the steel light poles/gantries and appurtenances will occur wholly within areas of each LPOE facility that have been previously disturbed. US-VISIT does not intend to purchase any additional land or increase the footprint of the existing LPOEs and will be coordinating with landowners to obtain rights of way in order to install the necessary equipment on outbound lanes. In all cases however, the Preferred Alternative will not require the disturbance of natural or physical resources within or adjacent to each LPOE. Thus, construction and maintenance activities associated with the Preferred Alternative are considered temporary and minor as they relate to context and intensity of impact respectively. Operationally, it is the intention of US-VISIT to deploy the Preferred Alternative in such a manner as to:

- Not increase current wait times upon entry.
- Not degrade baseline level of service (LOS) for free-flow exit lanes.
- Not significantly degrade LPOE traffic patterns.

This will be achieved through a number of mitigating actions during the POC, including selective lane closings during construction, construction during non-peak or closed hours, no alteration of traffic flows or speed limits, and no change in the traveler population currently subject to secondary inspection to name a few. Because the Preferred Alternative is expected not to result in direct physical impacts (i.e., requiring land acquisition and/or disturbance to undeveloped land or natural habitat) or adversely impact existing LPOE operations (i.e., increase in wait times, degradation of baseline level of service (LOS) for free-flow exit lanes), it is anticipated that there will be no significant adverse impacts to the natural and physical environment, travelers, or local border communities at each of the five LPOEs.

The implementation of the Proposed Action will occur under Federal Communications Commission (FCC) Part 90 and Part 15 Radio Licenses (depending on power requirement). US-VISIT has determined that potential radio frequency (RF) exposures to the CBP Officers and the general public as a result of this Proposed Action are well below the FCC guidelines following the guidance provided in FCC's Office of Engineering and Technology (OET) Bulletin 65. All calculations for exposure levels per FCC's OET Bulletin 65 were well within the guidelines established by FCC; therefore there is no potential for human health impacts.

Based on the assessment of baseline environmental conditions at the five LPOEs and potential environmental consequences of the Preferred Alternative, US-VISIT determined that the construction, installation, and maintenance necessary in implementing the Preferred Alternative will have no impact on: land use patterns; local or regional plans; zoning; residential, commercial, or community services; children, low-income, or minority populations; socioeconomics as they relate to border communities and travelers; air, noise, vegetation or wildlife; waters of the U.S.; threatened or endangered species; floodways or floodplains; or hazardous waste sites.

## **MITIGATION**

US-VISIT established at the outset of the Increment 2C POC that it would not impact current LPOE operations and that the design of the POC implementation would be performed in a manner that does not increase current wait times upon vehicle and pedestrian entry, not degrade baseline level of service (LOS) for free-flow exit lanes, and not significantly degrade LPOE traffic patterns. This is clearly stated in the objectives of the Increment 2C POC in the criteria used to select the Preferred Alternative. Since the Preferred Alternative will be the first live implementation of the technology and business process, there is the potential for unanticipated temporary impacts.

US-VISIT has assessed the Preferred Alternative and its potential for impacting port operations that, in a measurable way, would impact the human environment (i.e., natural and physical environmental resources) as well as travelers, goods and services, and legitimate trade and commerce. It is anticipated that implementation of the Preferred Alternative will require minor modifications (e.g., installation of antennas, conduit, and ancillary components) to LPOE infrastructure which may result in temporary impacts during the time of installation. US-VISIT will use an adaptive management approach to provide for ongoing monitoring and potential mitigation of unanticipated impacts. At this time, unanticipated temporary impacts can be mitigated or minimized at each LPOE by temporarily modifying LPOE operations during time of POC equipment installation. Should significant impacts be identified during the Phase I testing period, it is US-VISIT's intent to not proceed with Phase II pending further analysis. Because the five LPOEs very rarely have all lanes operational at any given time, planned installation activities can be timed so as to not impede baseline traffic flow through the LPOE facilities. Other modifications can include strategic opening (and closing) of entry and exit lanes and performing installation activities at night or during low volume border crossing periods. Adaptive management actions for unanticipated impacts could vary from those described above to cessation of the Increment 2C POC.

The only class of resources requiring additional agency consultation and coordination is the consideration of cultural resources and compliance with Section 106 of the National Historic Preservation Act (NHPA). Historic properties are present at two LPOEs. The Federal building at the Nogales East LPOE, the neighborhood



adjacent to the Nogales East LPOE, and the Peace Arch adjacent to the Peace Arch - Blaine LPOE, are listed on the National Register of Historic Places (NRHP).

For the Nogales East LPOE, the overhead gantry to be installed will extend from an existing structure in the median between the inbound and outbound lanes, across the outbound roadway. The gantry will be in an area that is surrounded by the existing LPOE, security, and safety equipment. The view from the Federal building will be similar to the current view in that there is a large new building behind the gantry. This building has already impacted the integrity of the view from the Federal building. Thus the visible elements of the current installation will not impact the integrity of the eligible and listed structures in the surrounding area. Therefore, there will be no adverse effect to historic resources as a result of implementing the Preferred Alternative at this LPOE.

The Peace Arch and the land it resides on are adjacent to the Peace Arch - Blaine LPOE and are listed on both the National and State Registers of Historic Places. The overhead gantry to be installed is the standard Washington State Department of Transportation (WSDOT) design and will match a similar overhead gantry that is located to the south of the LPOE. The visible elements of the installation will not impact the integrity of the historic structure. Since no historic properties were identified at the LPOE, and the Preferred Alternative will not adversely affect the integrity of the Peace Arch or the land it resides on, there will be no adverse effect to historic resources as a result of implementing the Preferred Alternative at this LPOE.

No other historic properties were identified at the five LPOEs. As discussed in the Final EA, since the Preferred Alternative will have no impact to the integrity of the historic properties, consultation letters have been sent to the New York, Arizona, and Washington State Historic Preservation Officers (SHPOs), and relevant Native American Tribes concluding that there will be no adverse effect to historic properties as a result of implementing the Preferred Alternative. In the event that any consulting party disagrees with this determination, US-VISIT will work in coordination with the consulting party to resolve or address their concerns.

### **CUMULATIVE IMPACTS**

US-VISIT also considered other past, present, and reasonably foreseeable actions within, adjacent to, or in the vicinity of the five LPOEs. Foreseeable actions were identified through coordination with other federal and state agencies and review of state department of transportation (DOT) websites. Based on that review, US-VISIT has concluded that the Preferred Alternative will not result in incremental impacts such that there would be a condition whereby individually minor but collectively significant impacts would result in a measurable impact at the five LPOEs, their immediate vicinity, regionally, or nationally. In addition, since the installation and maintenance of the POC equipment are considered relatively minor modifications to existing port infrastructure, there will be no incremental cumulative effects when the Increment 2C POC Proposed Action is combined with other foreseeable actions. In fact, implementation of the Preferred Alternative may result in reducing wait times upon vehicle and pedestrian entry, which would result in beneficial impacts to the surrounding border communities, travelers, and legitimate trade and commerce.

### **CONCLUSION**

In accordance with the National Environmental Policy Act (NEPA, 1969), this Final EA evaluates the environmental impact on the natural, physical, and social environs as a result of deploying the Preferred Alternative at five LPOEs for the specific purpose of evaluating and validating the selected technological solution for future Increment 2C implementation (i.e., Increment 2C POC). Results of this analysis demonstrate that there will be no significant impacts to the aforementioned resources as a result of the POC. In summary, US-VISIT has determined that the Proposed Action will not result in significant direct, indirect, temporary, or cumulative impacts to the environment.

The Increment 2C POC will be deployed in two phases. Phase I will record entry and exit events of issued a-IDs for vehicle entry at primary inspection. For pedestrian entry, Phase I will also include real-time biographic watch-list checks and display them to the CBP Officer. Phase II will expand this capability at the same POC LPOEs to read an issued a-ID and link this event with license plate and biographical and biometric data that will be displayed to the CBP Officer for vehicle primary inspection.

Following each phase of the POC's period of performance (anticipated to be two 90-day periods), US-VISIT will evaluate and validate the success of the study through analysis of defined performance metrics. Analysis of these performance metrics will assist in identifying areas for improvement in the overall Increment 2C solution, provide input to the design of the overall Increment 2C solution, and offer initial insight into the benefits available from the implementation of the permanent Increment 2C solution on a national level. The main objective of the Increment 2C POC is the validation of the conceptual solution and, therefore, only performance metrics which are relevant to supporting this objective will be collected during its implementation.

### **PUBLIC OUTREACH**

US-VISIT will make the Final EA and resulting decision document available. Notice to the public and agencies regarding the Final EA and US-VISIT's subsequent decision is being conducted in the same way as the notice for the Draft EA and the related comment period. Notices on the availability of the Final EA and decision document will be placed in English- and Spanish-language newspapers local to the five LPOEs that are part of this environmental analysis. A notice(s) of availability will also be placed in a national newspaper. Additionally, US-VISIT will e-mail a letter containing the same information to those on the US-VISIT stakeholder e-alert distribution list.

The Final EA and the decision document will be made available in hard copy and compact disc (CD) formats at local libraries, as well as on the internet for review or download at [www.us-visitfacility.us](http://www.us-visitfacility.us). In addition, US-VISIT will distribute the Final EA to appropriate elected officials and a number of agencies of jurisdiction.

Other interested persons may request a copy of the Final EA and/or the decision document by telephone or mail. Please call 1-800-872-5201 to make a request by telephone. When making a request by telephone voicemail, please indicate your preference for a) either a paper hard-copy or an electronic (PDF file on CD) version of the Final EA and/or decision document, and, b) English- or Spanish-language version(s).

### **COMMENTS ON THE DRAFT EA**

US-VISIT received eight (8) letters commenting on the Draft EA. The letters included comments on certain topics including general and specific analysis of certain environmental resource categories; DHS's and US-VISIT's missions, goals, and activities; project information and issues outside of the scope of the proposed action being evaluated; and the application of NEPA. Based on comments received on the Draft EA, the Final EA has been revised to provide clarification where warranted. However, since distribution of the Draft EA, US-VISIT has not identified any resource areas requiring additional environmental analysis.

### **ADDITIONAL OUTREACH AND CONSULTATION**

The DHS and US-VISIT websites, [www.dhs.gov](http://www.dhs.gov) and [www.dhs.gov/us-visit](http://www.dhs.gov/us-visit) respectively, include information on DHS, the US-VISIT Program, and the entry-exit program analyzed in the Final EA. DHS regularly updates the websites. US-VISIT Office of Outreach Management also conducts regular public meetings and sends regular e-alerts concerning overall US-VISIT initiatives. If you would like to be added to the e-alert distribution list, please call 202-298-5200 and ask for the Office of Outreach Management. Additionally, the US-VISIT Program has an extensive outreach program to continue ongoing communication with US-VISIT stakeholders in land border communities along the U.S.-Mexico and U.S.-Canada borders. US-VISIT is working closely with the LPOEs and surrounding communities. US-VISIT maintains ongoing community and interagency coordination and consultation. US-VISIT has participated in a number of partnership workshops, and has participated in various stakeholder-organized meetings and conferences as well.

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## 1.0 INTRODUCTION AND BACKGROUND

The border management responsibilities of the Department of Homeland Security (DHS), as mandated by Congress, are to protect the United States (U.S.) and its territories from threats to national security, and to enforce immigration and customs laws.

DHS created the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program to address the needs and concerns of the border management community<sup>1</sup> in improving the security of the country's air, sea, and land ports while facilitating legitimate trade and travel by establishing a program of improved security measures and technology application at the nation's land, air, and seaports.

To accomplish their mission, the US-VISIT Program established four goals:

1. Enhance national security.
2. Facilitate legitimate trade and travel.
3. Ensure the integrity of our immigration system.
4. Deploy the US-VISIT Program in accordance with existing privacy laws and policies.

There has been a growing concern, both in Congress and across the border management community, that the U.S. currently lacks the necessary information and technology to effectively manage the traveler entry and exit process and enforce relevant laws. Congressional concerns include visa overstays, the number of illegal foreign nationals in the country, and overall border security issues.

US-VISIT has taken an incremental approach to the implementation of its border management initiative to minimize risk, ensure informed decision-making on future increments, and allow it to adapt its program based on performance results at each step of implementation.

In Increments 1A, 1B, and 2B, US-VISIT implemented biometric<sup>2</sup> data collection and/or verification for certain foreign travelers<sup>3</sup> upon their entry at all U.S. airports and seaports, exit at certain U.S. airports and seaports, as well as the 50 busiest land ports of entry (LPOEs) respectively. This biometric data collection effort takes place at secondary inspection points<sup>4</sup> at land ports, and primary inspection points at air and sea ports. In both

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<sup>1</sup> The term "border management community" is used to represent stakeholders in the border management process including, but not limited to, Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), border communities, and state departments of transportation (DOTs).

<sup>2</sup> Biometric data or biometrics refers to unique physical attributes of a person that can be used for identification purposes such as fingerprints, retinal patterns, and facial features.

<sup>3</sup> Foreign travelers (also referred to as "non-immigrant aliens") that are subject to US-VISIT requirements are those who are issued an I-94 or I-94W, Arrival/Departure Record, at the time of admission. Within this Final EA document, these individuals are also referred to as "in-scope" travelers to distinguish them from foreign travelers who are not covered by US-VISIT. These in-scope travelers generally include all foreign nationals with the exception of most Canadians and those Mexicans who are in the country for less than 30 days and are staying within 25 miles of the border (75 miles in Arizona). However, some foreign travelers who are issued I-94 and I-94W Arrival/Departure Records are not subject to (i.e., exempt from) the biometric requirement of US-VISIT. This includes individuals under the age of 14 or over the age of 79. A detailed list of non-immigrant aliens for which the biometric enrollment requirements of the US-VISIT Program do not apply (also referred to as "exempt" travelers) can be found in 8 CFR 235.1(d)(1)(iv)(A)-(D).

<sup>4</sup> "Primary" inspection refers to the initial contact with a CBP Officer. All commercial, vehicular, and pedestrian traffic crossing into the U.S. through a port of entry go through primary inspection. "Secondary" inspection refers to passport control, detailed inspection or questioning, detailed customs inspection, all of which generally occur in an adjacent building or "secondary" facility to which people are referred to from primary inspection.

cases biometric data collection requires direct interaction between the CBP Officer<sup>5</sup> and the traveler to enroll the traveler in US-VISIT or to confirm/verify the traveler's identity if that traveler was already enrolled.

US-VISIT is now at the "Increment 2C Proof of Concept" stage in the overall process of establishing an automated entry/exit program. Increment 2C will be complete when a validated technology and business process for automatic and remote identification of in-scope (those covered by US-VISIT) travelers crossing into or out of the U.S. is operational at all LPOEs.

### **1.1 PURPOSE AND NEED FOR THE PROPOSED ACTION**

Current land border management processes are highly manual and do not accurately identify when a foreign traveler has entered or exited the country. Current processes depend on systems and technologies that are oftentimes not integrated among agencies, flexible, or universally available throughout the various border management agencies. Additionally, current land border management processes do not consistently use electronically stored traveler information to assess the security risk a traveler may pose. Electronic historical, biographical<sup>6</sup>, and biometric data is not readily available for identification purposes during primary inspections and automated "watch-list"<sup>7</sup> checks are not available at vehicle primary inspection or upon a traveler exiting the country. The existing use of multiple systems by numerous agencies to manage the flow of people in and out of the U.S. has resulted in an uncoordinated border management effort. The use of manual data processing has resulted in exit and entry data that is inaccurate, incomplete, and untimely.

US-VISIT is charged by its mission and Congressional mandate with improving the exit-entry data collection and management processes. Congressional mandates require the creation of an integrated, automated arrival and departure (entry/exit) system that records and matches the entry and exit of travelers at all ports of entry (POEs) allowing for the verification of travelers' identities and the authentication of their travel documents. Congress has passed a number of laws to address border management and the entry and exit of foreign nationals, including the Immigration and Naturalization Service Data Management Improvement Act<sup>8</sup>, the Visa Waiver Permanent Program Act<sup>9</sup>, the USA PATRIOT Act<sup>10</sup>, and the Enhanced Border Security and Visa Entry Reform Act<sup>11</sup> on which US-VISIT's mission is based. In addition, the recent passage of the Intelligence Reform & Terrorism Prevention Act<sup>12</sup> reaffirms Congress' support of the US-VISIT Program and its accelerated implementation.

Given the technological and business challenges in meeting these mandates, the US-VISIT Program needs to carefully test and evaluate, at a proof of concept (POC) level, any concept for automated, passive, and remote data collection in order to efficiently and effectively continue to meet its mission and objectives and provide information so as to make informed decisions on how to proceed with implementation at additional LPOEs.

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<sup>5</sup> "Border officials" generally refer to CBP Officers who staff the ports of entry and are responsible for the implementation of the border management process.

<sup>6</sup> Biographical data refers to descriptive information such as name, address, and date-of-birth associated with a person.

<sup>7</sup> "Watch-list" refers to a list containing biographical and/or biometric information (includes known and/or suspected terrorists/criminals) utilized for law enforcement purposes within DHS.

<sup>8</sup> Immigration and Naturalization Service Data Management Improvement Act of 2000 (DMIA) Pub. L. No. 106-215.

<sup>9</sup> Visa Waiver Permanent Program Act of 2000 (VWPPA); Pub. L. No. 106-396.

<sup>10</sup> Uniting and Safeguarding America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act, Pub. L. No. 107-56.

<sup>11</sup> Enhanced Border Security and Visa Entry Reform Act of 2002 (Border Security Act) Pub. L. No. 107-173.

<sup>12</sup> The National Intelligence Reform and Terrorism Prevention Act (NIRTPA) of 2004.

## 1.2 PROPOSED ACTION

The Proposed Action (known as "Increment 2C Proof of Concept") is the proof of concept (POC) implementation of a commercial off-the-shelf (COTS) technology and business concept at five LPOEs. The proposed technology and business process would allow Customs and Border Protection (CBP) Officers and the US-VISIT Program, through the issuance of an automatic identifier (a-ID), to automatically, remotely, and passively record the crossings of in-scope travelers<sup>13</sup> at these select LPOEs and report on those crossings.

Specifically, the Increment 2C POC capabilities are broken down into seven processes:

1. a-ID Issuance.
2. Pedestrian Entry.
3. Vehicle Entry.
4. a-ID Authentication.
5. Pedestrian Exit.
6. Vehicle Exit.
7. Reporting.

The entry process takes place at inspection booths located at the LPOEs. Inspections are composed of primary inspection (commercial, vehicular, and pedestrian traffic) and secondary inspection (passport control and baggage control).

Current operating procedures require that the first time an in-scope traveler crosses at a LPOE under Increment 2B, the traveler is referred to secondary inspection to determine admissibility. The same procedures will continue in the Increment 2C POC whereby the CBP Officer will collect biographic and biometric information (fingerprints and a facial photograph [unless exempt from the collection of biometric information]) from in-scope travelers, and check against lists of known criminals and terrorists under previously established procedures. Under Increment 2C, the in-scope traveler will then be issued an a-ID. The a-ID will contain a unique identifier (e.g., number) that is associated back to a secure database with the in-scope traveler's biographic and biometric data (unless exempt from the collection of biometric information). No biographic or biometric information will be stored on the a-ID. Upon the in-scope traveler's subsequent entry at primary inspection, the system will automatically read and record the traveler's a-ID. Similar to Increment 2B, in-scope travelers will not be required to stop at the border upon exit.

The Increment 2C POC will be deployed in two phases. Phase I will record entry and exit events of issued a-IDs for vehicle entry at primary. For pedestrian entry, Phase I will also include real-time biographic watch-list checks and display to the CBP Officer. Phase II will upgrade this capability at the same POC LPOEs to read an issued a-ID and link this event with license plate and biographical and biometric data that will be displayed to the CBP Officer for vehicle primary inspection. This technological upgrade, while further enhancing security, is not expected to change the process for the traveler.

Phase II is targeted for implementation approximately seven months following the implementation of Phase I. It is the intent of US-VISIT to have most of the equipment and infrastructure in place for Phase II at the initiation of Phase I.

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<sup>13</sup> The "in-scope" visitor population that will receive an a-ID at designated LPOEs will include all travelers who receive an I-94 or I-94W Arrival/Departure Record as described in footnote 3. This includes all "exempt" travelers.

The Increment 2C POC will provide the capability to generate management and analytical reports at both the local and national level. These reports will identify the number of a-ID reads within a specified time period, the number of watch-list hits associated with an a-ID, a-ID issuance history associated with travelers, and a-ID status reports.

The US-VISIT Program selected five LPOEs at which to conduct the POC implementation as representative of general operating environments. The LPOEs include: Nogales East, Arizona; Mariposa – Nogales West, Arizona; Alexandria Bay/Thousand Islands, New York; Pacific Highway – Blaine, Washington; and Peace Arch – Blaine, Washington.

US-VISIT intends to assess the selected technology and a fully functional business process for at least 90 days after each phase, to allow for a full assessment of functionality and potential impacts to operations and the facility. Test results will enable US-VISIT to evaluate the functionality and feasibility of a future implementation at other LPOEs.

Since the POC effort will be the first live implementation of this technology and business process to collect data at an LPOE, there is the potential for unanticipated impacts. US-VISIT will use an adaptive management approach to provide for ongoing monitoring and potential mitigation of unanticipated impacts. It is important to note that the Proposed Action will not change the population of travelers that currently must go to secondary inspection.



## 2.0 ALTERNATIVES ANALYSIS

### 2.1 METHODOLOGY

The US-VISIT Program Office undertook an extensive alternatives identification and screening procedure to identify the Preferred Alternative. The procedure is captured in the five steps listed below and described in this section. The Preferred Alternative is the technology and business process which best meets the US-VISIT Increment 2C POC purpose and need. Appendix A includes detailed descriptions of the alternatives and additional information on screening results.

The following steps were used to identify and screen the alternatives.

1. **STEP 1:** Identify the Increment 2C objectives and required operating capabilities.
2. **STEP 2:** Develop a range of alternatives that could satisfy those objectives and capabilities.
3. **STEP 3:** Identify appropriate screening criteria.
4. **STEP 4:** Screen alternatives based on criteria.
5. **STEP 5:** Identify the Preferred Alternative for POC implementation.

#### **STEP 1: IDENTIFY THE INCREMENT 2C OBJECTIVES AND REQUIRED OPERATING CAPABILITIES**

US-VISIT identified the following Increment 2C objectives:

1. Improve the ability to monitor (capture, display, and record) in-scope travelers' entries and exits.
2. Facilitate legitimate trade and travel by not increasing the entry or exit processing time at primary or secondary inspections.
3. Support the Congressional request for accelerated implementation.

US-VISIT identified the following Increment 2C required operational capabilities:

1. Enhanced LPOE traveler processing through issuance of a unique identifier (a-ID) at secondary inspection that automatically, passively, and remotely reads in-scope travelers' entries and exits.
2. Improved identification and admissibility determinations by CBP Officers for in-scope travelers, through a-ID reading and information displays.
3. Able to be integrated with currently deployed systems supporting US-VISIT.

#### **STEP 2: DEVELOP A RANGE OF ALTERNATIVES THAT COULD SATISFY THOSE OBJECTIVES AND CAPABILITIES**

Table 1 lists the alternatives identified for screening. Appendix A includes detailed descriptions of each alternative and additional detail on the screening process.

In identifying possible Increment 2C solution alternatives, consideration was given to the Increment 2C capabilities defined by the US-VISIT objectives. Use of an a-ID technology would enhance the initial operating capability of the previous increment by providing the CBP Officer with the ability to access the biometric and biographical data associated with a traveler's a-ID on exit and subsequent re-entry to enhance the information available to make admissibility decisions.

**TABLE 1**  
**INCREMENT 2C ENTRY AND EXIT ALTERNATIVES**

Alternative Solution	Unique Identifier	Solution Type
Biometric Facial Recognition	Traveler's Face	Technical
Biometric Voice Recognition	Traveler's Voice Signature	Technical
Biometric Iris Scans	Traveler's Iris Signature	Technical
Biometric Retinal Scans	Traveler's Retinal Signature	Technical
Biometric Hand Geometry	Traveler's Hand Geometry	Technical
Biometric Finger Scans	Traveler's Fingerprint	Technical
Active RFID (Radio Frequency Identification)	RFID issued token	Technical
Passive RFID	RFID issued token	Technical
GPS (Global Positioning System)	GPS device	Technical
Self Service Kiosks (in Canada, Mexico and U.S.)	Biometric Technique, MRTD Swipe, Biographic Info Entry	Technical
Facilitated Border Crossing – Automatic Referral to Secondary <sup>14</sup>	Presence of traveler	Process Change

### STEP 3: IDENTIFY APPROPRIATE SCREENING CRITERIA

US-VISIT screened the alternatives in stages by applying three sets of criteria in order of importance:

1. Core Capability Screening Criteria – defined by US-VISIT as those criteria that are critical to meeting the objectives of Increment 2C.
2. Border Community Screening Criteria – criteria of significant interest to the border community.
3. General Criteria Screening Criteria – criteria developed by US-VISIT to minimize traveler impacts and support the accelerated schedule requested by Congress.

#### ***Core Capability Screening Criteria***

At the highest level, Increment 2C technology must provide a means to passively and remotely read a unique identifier for each traveler.

1. Passive technology that would require little to no direct action on the part of the traveler once the a-ID has been issued.
2. Remote technology that should allow the inspector to manage traveler crossings from a distance.

#### ***Border Community Screening Criteria***

At the next level, the Increment 2C technology must not negatively affect the basic operations at the LPOE, (i.e., border crossings). Specifically, implementation of the technology should:

<sup>14</sup> Refer to Appendix A for a detailed description of the Facilitated Border Crossing for Entry and Exit.

1. Result in minimal impacts to the LPOE.
2. Not increase wait times.
3. Not degrade the baseline traffic level of service (LOS) for free-flow exit lanes<sup>15</sup>.
4. Not degrade overall traffic flow.

#### ***General Criteria Screening Criteria***

At the final level, the Increment 2C technology should be reasonable and feasible. Specifically, the technology should:

1. Be commercially available.
2. Be convenient and safe for the traveler.
3. Respect personal privacy.

#### **STEP 4: SCREEN ALTERNATIVES BASED ON CRITERIA**

##### ***Core Capability Screening Criteria***

Of all the alternatives identified for entry and exit, only three alternatives, active RFID, passive RFID, and GPS, met both criteria and thus were evaluated further for both entry and exit scenarios:

1. Active RFID – An active RFID Tag contains its own power source and is constantly “on” sending out its signal.
2. Passive RFID – A passive RFID Tag does not contain a power source and needs to be “turned on” by an external signal in order to transmit its data. It needs this external signal to provide it with power.
3. GPS – This technology would make use of Global Positioning System technology plus a wireless device to receive and transmit data.

##### ***Border Community Screening Criteria***

All three remaining alternatives measured similarly and favorably against the Border Community Screening Criteria. Therefore, active RFID, passive RFID, and GPS were evaluated further in the final level of screening.

##### ***General Criteria Screening Criteria***

The final level of screening evaluated the remaining three alternatives for general feasibility and impact to travelers.

Active RFID, passive RFID, and GPS technologies are all commercially available and widely used in industry today. All three alternatives could also support an accelerated implementation. However, active RFID tags and GPS devices create an inconvenience or burden on the traveler that passive RFID tags do not. The relative size alone of the active RFID tags and GPS devices could cause issues with their storage and handling. The power requirements and battery life also add another level of complexity and potential for failure. Further, active RFID tags and GPS devices are not permitted on planes. This could cause an issue for travelers that utilize different modes of transportation when entering and exiting the U.S. Of the three remaining alternatives, passive RFID best satisfies the facility and traveler impacts criteria.

#### **2.2 STEP 5: IDENTIFY THE PREFERRED ALTERNATIVE FOR POC IMPLEMENTATION**

Once the preferred technology was identified, US-VISIT conducted a series of feasibility tests on the passive RFID technology to further understand the capabilities and limitations of vendors' technology and to begin to establish the POC testing parameters and protocol. In order to properly design a POC for RFID technology,

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<sup>15</sup> The Level of Service metric is used to denote traffic flow conditions. LOS ranges from A (best) to F (fail or congested). Since the entry lanes include a stop and do have some associated wait time currently in some instances, the metric is not used on the entry lanes.

many parameters need to be defined. Configurations (e.g., vehicle speed issues, and a-ID placement) and other parameters need to be defined and evaluated in order to have a meaningful and useful POC. The results of the RFID feasibility testing provide information on how the preferred technology will likely be implemented and tested at the LPOEs during the planned 90-day test periods for Phases I and II.

The Increment 2C POC will be deployed in two phases. Phase I will record entry and exit events of issued a-IDs for vehicle entry at primary. For pedestrian entry, Phase I will also include real-time biographic watch-list checks and display them to the CBP Officer. Phase II will upgrade this capability at the same POC LPOEs to read an issued a-ID and link this event with license plate and biographical and biometric data that will be displayed to the CBP Officer for vehicle primary inspection. This technological upgrade, while further enhancing security, is not expected to change the process for the traveler. Phase II is targeted for implementation approximately seven months following the implementation of Phase I. It is the intent of US-VISIT to have most of the equipment and infrastructure in place for Phase II at the initiation of Phase I.

US-VISIT intends to use the POC results to support analysis and decision-making regarding a future full implementation. US-VISIT will conduct appropriate future National Environmental Policy Act (NEPA, 1969) analysis of potential environmental impacts of the full implementation using information gathered from this POC.

### **2.3 PREFERRED ALTERNATIVE**

The Preferred Alternative includes a passive RFID technology using higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit. A possible configuration for inbound lanes, as shown in Figure 1, could include two steel light poles fixed approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. For outbound lanes, an overhead gantry will be constructed in lieu of steel light poles. The light poles/gantries, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas, directed inward toward the vehicles, are in what is referred to as the 'side-fire' position. Figure 1 and Figure 2 provide general schematic renderings of the proposed configuration of the Preferred Alternative. The actual configuration may vary among the five LPOEs depending on the infrastructure available at each LPOE.

In each location the intent would be to locate the support structures in such a manner as to:

1. Not allow a vehicle to turn back on the exit side after moving through the tag detection area.
2. Configure pedestrian primary lanes in a manner that accommodates all pedestrian travelers. Pedestrian in-scope travelers will not be required to enter or exit through designated lanes.
3. Make maximum use of existing infrastructure on both entry and exit lanes.
4. In cases where overhead antennas (above the vehicle) are also required, mount at least 16 feet away from any side-fire antennas to minimize interference.
5. On the entry side, mount the antenna(s) as far ahead of the primary inspection booth as reasonable, which will provide the primary CBP Officer time to retrieve the in-scope traveler's information prior to the inspection. This will be dependent on site-specific constraints at each of the five LPOEs.

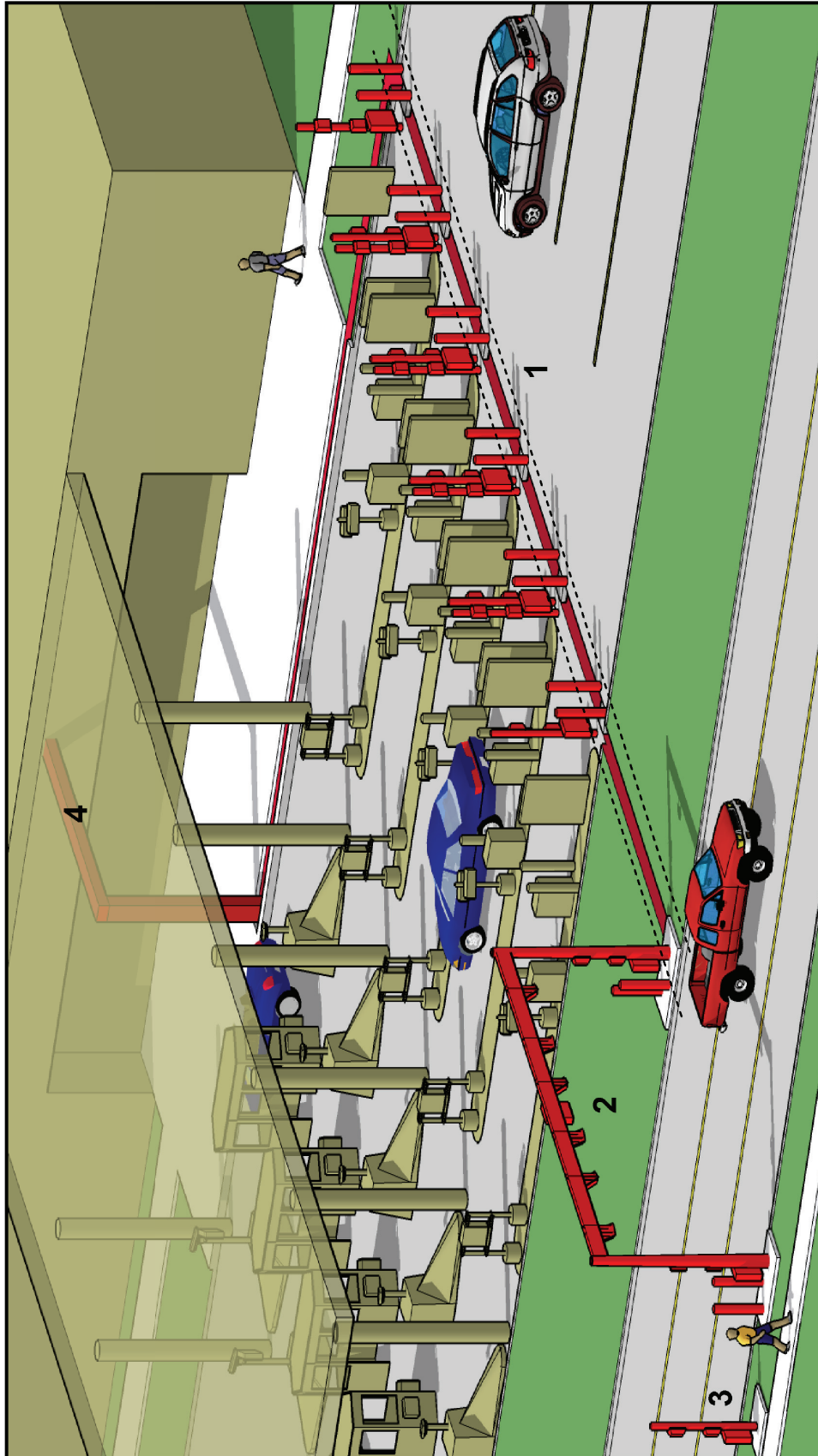
Results of the RFID Feasibility Study concluded that where possible, antennas for vehicle exit should be configured in the side-fire position since this position yielded slightly better performance than when in the overhead antenna configuration.

US-VISIT intends to use both overhead and side-fire antennas to ensure a-ID capture. Antennas for vehicle exit will be powered according to Federal Communications Commission (FCC) Part 90 regulations, as the Feasibility tests determined that these were the minimum power levels that gave acceptable results.

## 2.4 NO ACTION ALTERNATIVE

As part of the alternatives analysis, US-VISIT considered and evaluated the No Action Alternative. Under this alternative, existing border management and inspection processes would remain in place and additional data regarding the status of foreign nationals into and out of the U.S. would not be collected utilizing the POC protocols. With a lack of test data and confirmation of the feasibility of the concept, DHS would be unable to implement future increments of its border management initiative. The absence of this information and the halting of its border management initiative would continue to make it more difficult for DHS to identify the location of foreign nationals who present a potential security risk to the U.S. Thus, the required security improvements would not be achieved and legitimate low risk travelers would not see an improvement in their ability to cross the border more efficiently.

This alternative, therefore, does not satisfy the purpose and need of the Proposed Action nor the underlying legal requirements mandated by federal law (IIRIRA, DMIA, Visa Waiver Permanent Program Act, USA PATRIOT Act, Enhanced Border Security and Visa Entry Reform Act). None of the Congressional concerns including visa overstays, the number of illegal foreign nationals in the country, and overall border security issues would be addressed. For these reasons, the No Action Alternative is not considered a viable alternative.

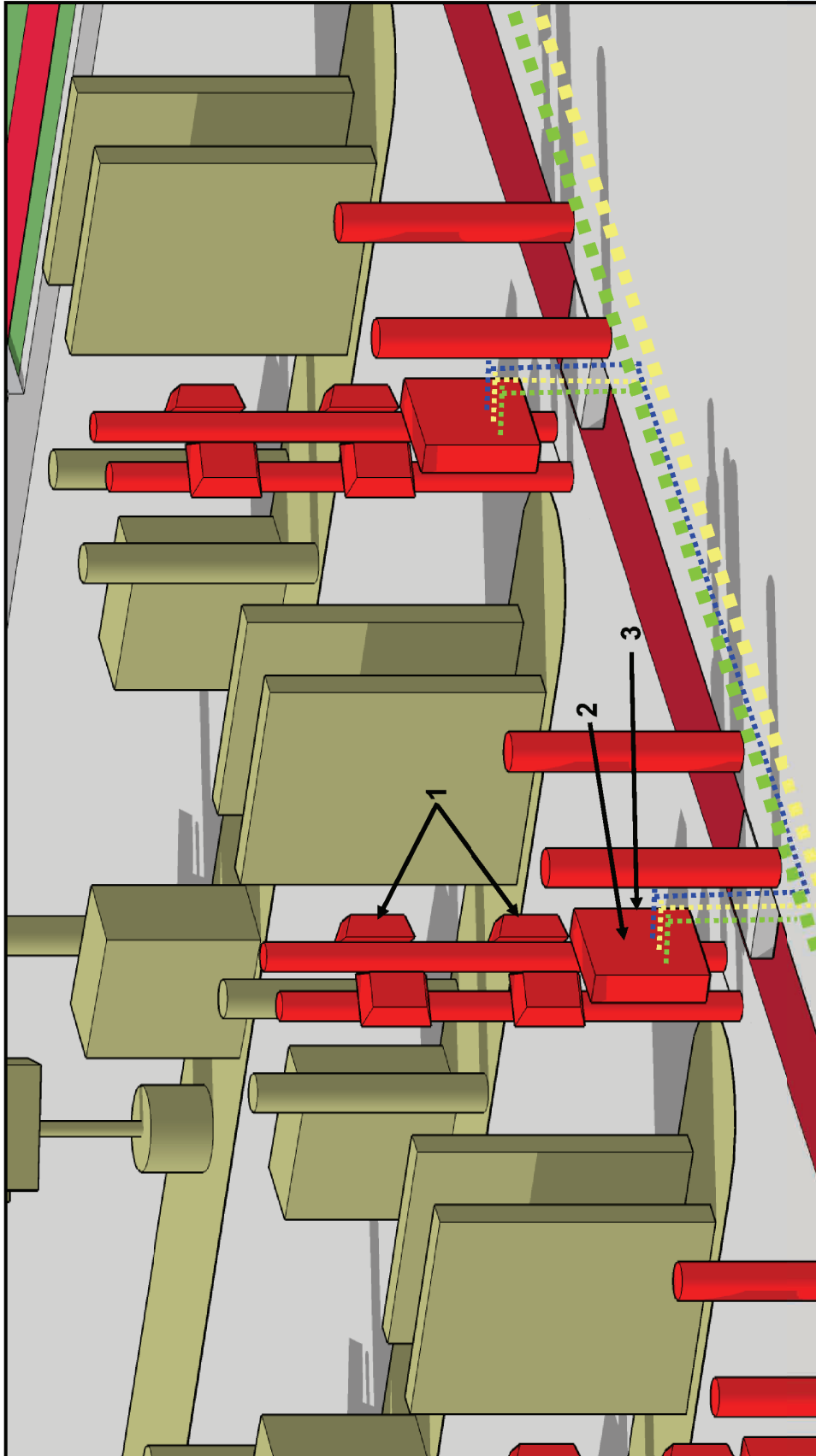


**Figure 1**  
**Typical LPOE RFID POC**  
**Study Area Rendering**  
 Increment 2C Proof of Concept



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- LEGEND**
- 1. RF Infrastructure to Entry Lanes
  - 2. RF Infrastructure to Exit Lanes
  - 3. Pedestrian Exit
  - 4. Site Infrastructure
- Illustration Not to Scale  
 Dimensions are Approximate*



**Figure 2**

**Typical RFID Entry POC  
Configuration Rendering**

**Increment 2C Proof of Concept**



**LEGEND**

- 1. Antennas
- 2. Reader/Server
- 3. Weatherproof/Conditioned Enclosure

*Illustration Not to Scale  
Dimensions are Approximate*

### 3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

#### 3.1 INTRODUCTION

US-VISIT has assessed the environmental baseline condition (US-VISIT, 2005a) and potential environmental consequences as a result of implementing the Preferred Alternative at the five LPOEs selected for the Increment 2C POC. The five LPOEs include: Nogales East, Arizona; Mariposa – Nogales West, Arizona; Alexandria Bay/Thousand Islands, New York; Pacific Highway – Blaine, Washington; and Peace Arch – Blaine, Washington.

As a part of an overall environmental planning approach, US-VISIT cataloged (via agency coordination, office-level analysis, and on-site LPOE site reconnaissance) the environmental baseline setting at each LPOE. For the site assessments, a team of environmental scientists experienced in evaluating the natural and physical environment completed the field investigations. The teams focused on two general areas of investigation at each LPOE. These included the LPOE facility (within the property boundary) and the area adjacent (i.e., bordering) to the LPOE property boundary. Areas “adjacent to” the LPOE extended approximately 1,000 feet from the LPOE property boundary. For some resources discussed in the following sections, the term “in the vicinity” of the LPOE, is defined as an area beyond the 1,000-foot buffer (i.e., adjacent areas) of the LPOE facility. “In the vicinity” includes resources that were beyond the limits and scope of analysis for the on-site LPOE baseline evaluations.

In addition to assessing the natural and physical environs within and adjacent to each LPOE, the team also performed Phase I Environmental Site Assessments (Phase I ESA) following the American Society for Testing and Materials (ASTM) “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process,” E1527-00. The Phase I ESAs were performed within the existing LPOE property boundary only and a database search of potential concerns was conducted for areas in the vicinity of each LPOE.

The following sections provide, for each of the five LPOEs, a description of the baseline condition (Affected Environment) and potential environmental impacts (Environmental Consequences) to the human (i.e., natural and physical) environment that could result from implementing the Preferred Alternative.

#### 3.2 PROJECT LOCATIONS

##### 3.2.1 NOGALES EAST, ARIZONA



PHOTO 1 VIEW OF THE NOGALES EAST LPOE (SOUTHWEST VIEW)

The Nogales East LPOE is located in southern central Arizona, in Santa Cruz County (Figure 3). The LPOE property boundary encompasses approximately 3.0 acres and is owned by the General Services Administration (GSA). The LPOE is bound to the north and south by commercial and retail shopping areas, to the east by railroad tracks, and to the west by a residential neighborhood.

Existing land use surrounding the Nogales East LPOE is well developed with minimal open space. Generally, the area to the north of the LPOE is predominantly commercial/retail, with several currency exchange shops, duty free shops, banks, and a museum which was the former Nogales City Hall. To the east is commercial development with some residential areas as well as an



undevelopable hillside. To the west of the LPOE is more commercial development with residential neighborhoods, churches, and a small local park. To the south is the Mexican border. South of the border with Mexico includes commercial, retail shopping and a tourist district, including pharmacies, hotels, restaurants, and other establishments.

The viewshed from the LPOE is limited by the surrounding multi-story urban development. There are limited views of the undeveloped hillsides to the northwest. Unique visual features include potentially historic structures, such as the museum (Old City Hall) and former CBP house, as well as residential development on the mesa hillsides. A view of the LPOE is shown in Photo 1.

There are no commercial vehicle inspection functions at this facility; those inspections are completed at the Mariposa, Nogales West LPOE facility. A railroad is located to the east of the site and two trains are run through border inspection daily. A large-scale Vehicle and Container Inspection Systems (VACIS) scans all inbound trains. The LPOE facilitates pedestrian inspections, noncommercial primary and secondary vehicle inspections, bus inspections, and periodic export (outbound) vehicle inspections.

**3.2.2 MARIPOSA – NOGALES WEST, ARIZONA**



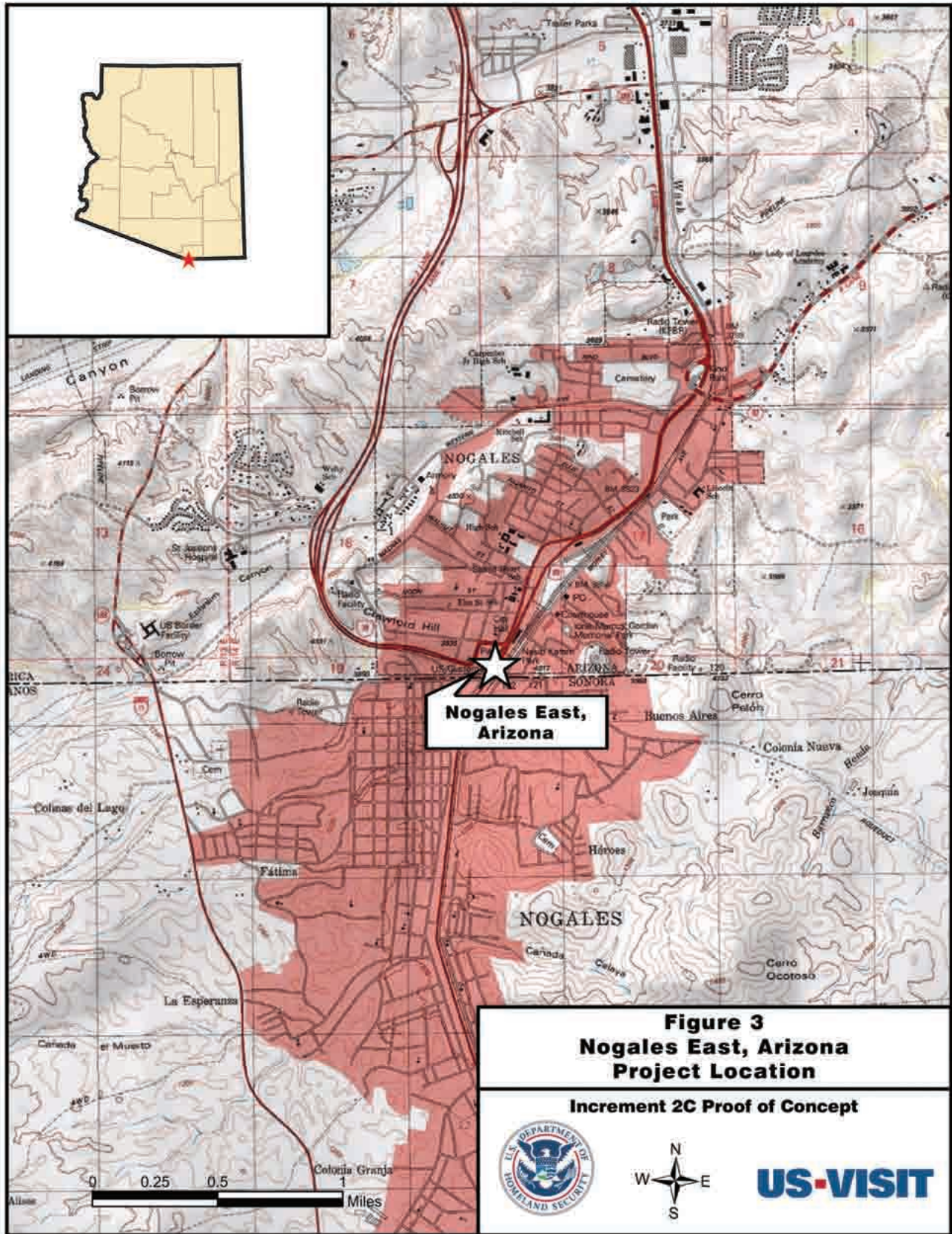
**PHOTO 2 VIEW OF THE MARIPOSA - NOGALES WEST LPOE (EAST VIEW)**

The Mariposa – Nogales West LPOE is located in southern central Arizona, in Santa Cruz County (Figure 4). The LPOE property encompasses approximately 42.0 acres and is owned by GSA. The LPOE is bound to the west by a commercial shipping area, and to the north, south, and east by undeveloped native oak/grassland and scrub/shrub hillsides.

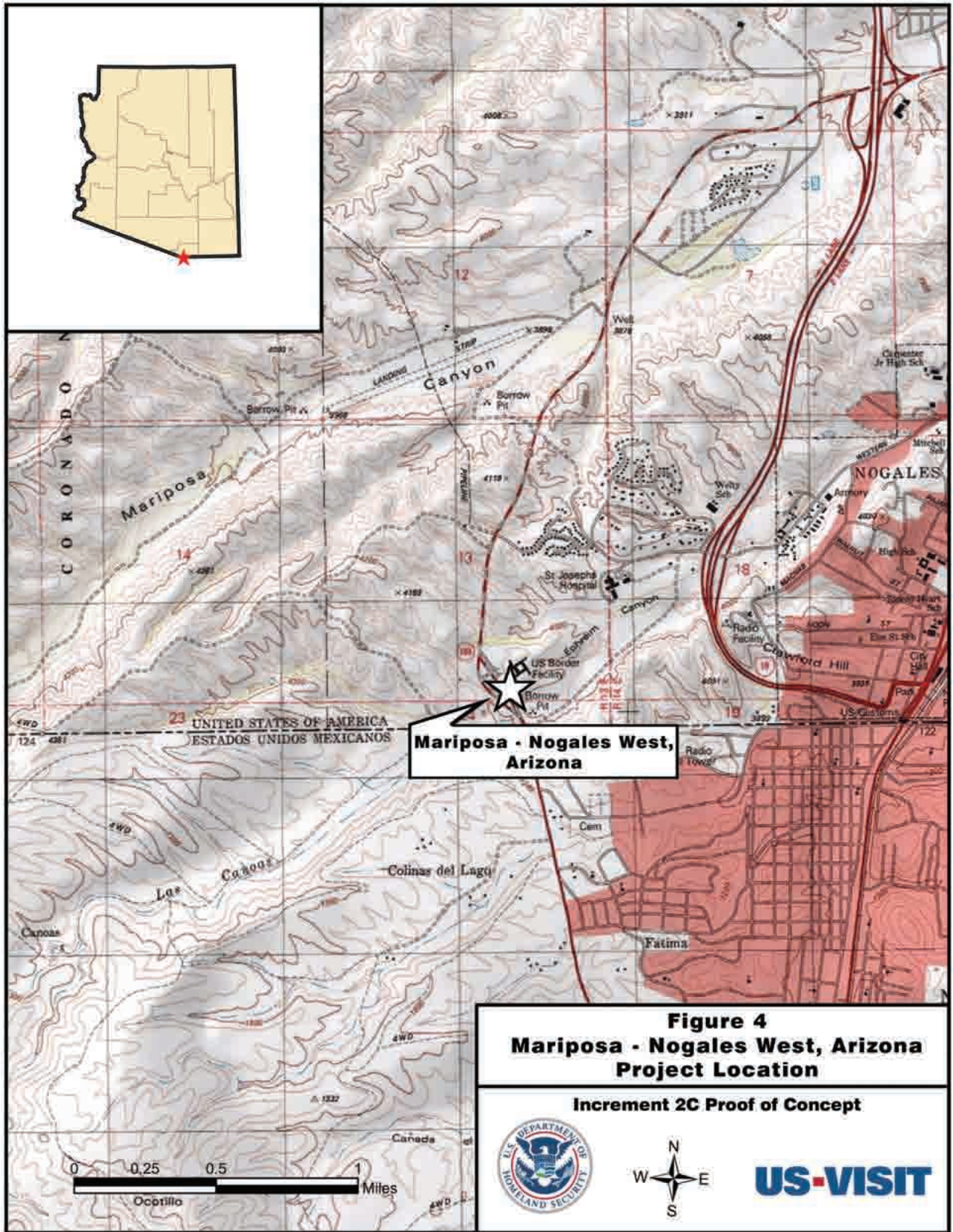
Nogales’ central business district and the Nogales East LPOE are approximately 1.5 miles east of the LPOE.

The LPOE is located on top of a small mesa in the western edge of Nogales, Arizona. The topography provides a view of the urban development in Nogales to the east and south. The San Cayetano mountain range provides the background view to the northwest. A view of the LPOE is shown in Photo 2.

The LPOE conducts pedestrian inspections, noncommercial primary and secondary vehicle inspections, bus inspections, commercial pre-primary, primary, and secondary vehicle inspections, and periodic commercial export vehicle inspections.







**Figure 4**  
**Mariposa - Nogales West, Arizona**  
**Project Location**

**Increment 2C Proof of Concept**



**US-VISIT**

### 3.2.3 ALEXANDRIA BAY/THOUSAND ISLANDS, NEW YORK



PHOTO 3 VIEW OF THE ALEXANDRIA BAY/THOUSAND ISLANDS LPOE (NORTHWEST VIEW)

The Alexandria Bay/Thousand Islands LPOE is located in north central New York, in Jefferson County (Figure 5). The LPOE property encompasses approximately 5.0 acres and is owned by GSA. The LPOE is bound to the north by mixed forest and the St. Lawrence River, to the south by commercial and highway land use, to the east by mixed forest and residential use, and to the west by mixed forest and commercial use.

Land use in the vicinity of the LPOE is predominantly mixed forest. Development is limited by the topography of the rock outcrops and the St. Lawrence River. The City of Alexandria Bay (approximately 4 miles from the LPOE) is in the process of developing a local waterfront revitalization plan and has marine development zoning along all waterfronts.

The LPOE site was developed by blasting the surrounding rock formations to provide a level site. As a result, the predominant view from the LPOE is of dramatic rock outcrops and the overhanging forested vegetation. The only distant views are to the east over the wetland areas along the St. Lawrence River; however, a wide view of the river is not provided from the site. Foreground views include the commercial development (customs brokers and duty free store). The predominant background feature is the Thousand Islands sky deck, which is visible to the northeast in Canada. Overall, the view from the port would be considered unique due to the surrounding walls of the rock formations. A view of the LPOE is shown in Photo 3.

The LPOE conducts noncommercial primary and secondary vehicle inspections, bus inspections, commercial primary and secondary vehicle inspections, and outbound inspections (periodically).

### 3.2.4 PACIFIC HIGHWAY - BLAINE, WASHINGTON



PHOTO 4 VIEW OF THE PACIFIC HIGHWAY LPOE (EAST VIEW)

The Pacific Highway - Blaine LPOE is located in northwestern Washington, in Whatcom County (Figure 6). The LPOE facility encompasses approximately 14.4 acres, and is owned by GSA. The facility is bound to the north by the Canadian LPOE, Canadian residences and mixed coniferous and deciduous forest, to the south and west by residential neighborhoods and forest, and to the east by a commercial district.

The Whatcom County Comprehensive Plan, dated May 20, 1997, guides land uses within the county, but the City of Blaine's community development department is responsible for zoning within the city. Zoning east and southeast of the site is highway commercial, and zoning west and southwest of the site is medium and low density residential respectively.

The viewshed from the LPOE is limited by the flat to moderately rolling terrain and tall patches of trees. The foreground view is of commercial and residential development, but the background to the northeast offers a view of the Cascade Mountains. A view of the LPOE is shown in Photo 4.



The LPOE conducts pedestrian inspections, noncommercial primary and secondary vehicle inspections, bus inspections, commercial primary and secondary inspections, and periodic outbound inspections. Directional signage separates commercial, noncommercial, and pedestrian traffic into functional traffic lanes.

### 3.2.5 PEACE ARCH - BLAINE, WASHINGTON



PHOTO 5 VIEW OF THE PEACE ARCH LPOE (NORTHWEST VIEW)

The Peace Arch – Blaine LPOE is located in the northwest corner of Washington, in Whatcom County (Figure 7). The LPOE facility encompasses approximately 4.0 acres, and is owned by GSA. The facility is bound to the north by Peace Arch State Park, to the south by Interstate 5 (I-5) and local transportation corridors (freeway, on ramps, turn-lanes, and rural collectors), to the east by Peace Arch State Park and residences, and to the west by a railroad corridor and Semiahmoo Bay.

Peace Arch State Park is a 20-acre day-use park commemorating treaties and agreements that arose from the war of 1812. The park features horticultural exhibits and a large commemorative concrete arch that straddles

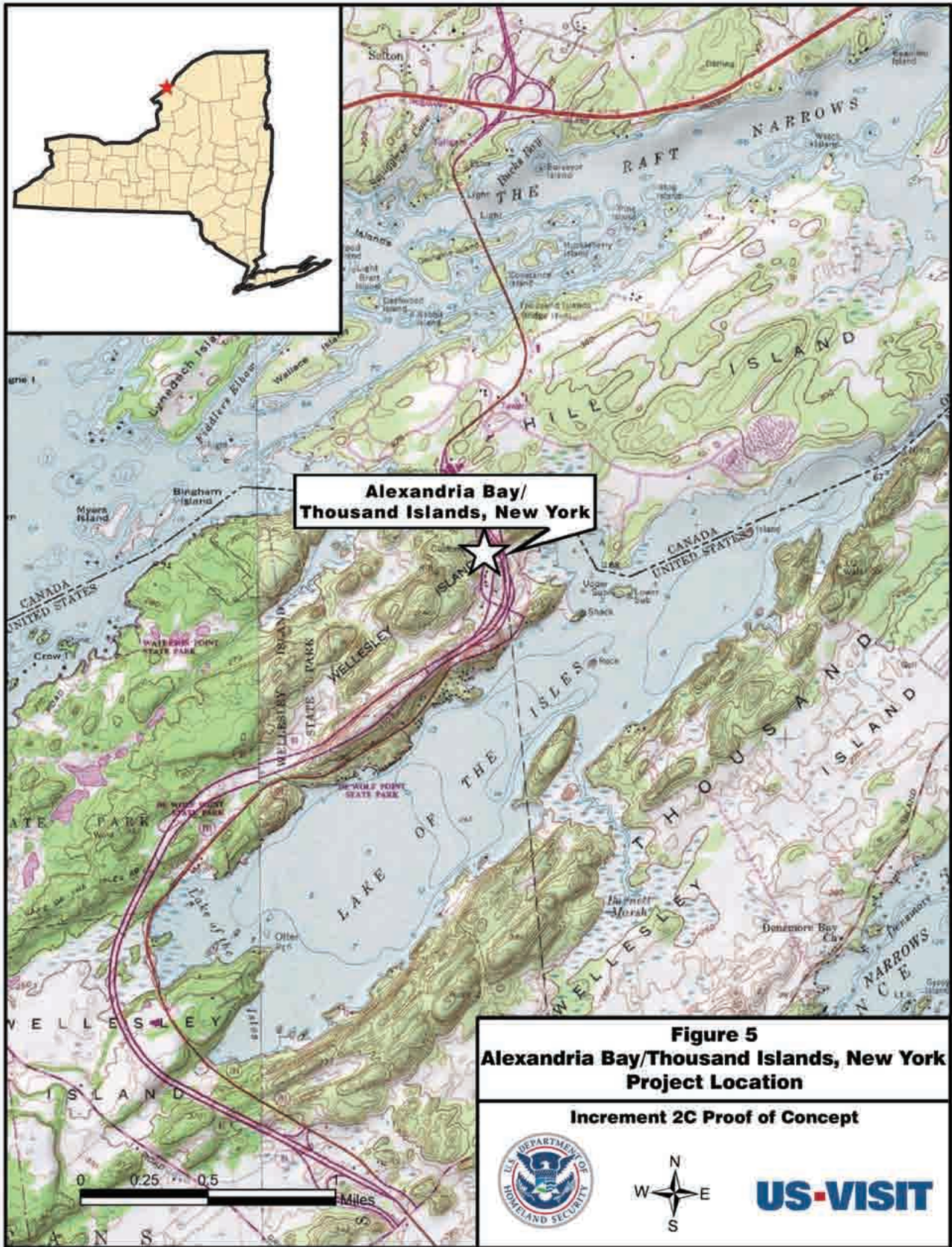
the border of the U.S. and Canada; both nations co-maintain the monument. Land use to the south of the LPOE is mainly transportation facilities associated with I-5 and an undeveloped portion of Semiahmoo Bay (Drayton Harbor). Land use to the east is mixed, with the Peace Arch State Park to the northeast, a single-family neighborhood to the east, and commercial development to the southeast. Land use to the west is transportation (railroad) and Drayton Harbor. There is a small industrial park site southeast of the LPOE.

The Whatcom County Comprehensive Plan, dated May 20, 1997, guides land uses within the county, but the City of Blaine's community development department is responsible for zoning within the city. Zoning adjacent to the site is highway commercial. Land use within the Peace Arch State Park is managed by Washington State Parks.

The LPOE has a diverse viewshed with a mix of residential and commercial development, waterfront, and park settings. The view of Semiahmoo Bay (Drayton Harbor) is not limited by topography or vegetative screening and the peninsulas on each side of the bay can be seen from the LPOE. A wide view of the park is screened by trees, but the Peace Arch is a unique feature that can be viewed from this LPOE. A view of the LPOE is shown in Photo 5.

The LPOE is organized to accommodate primarily noncommercial inspection. Only on rare occasions is there a commercial inspection. Commercial inspections are conducted in the by-pass lane west of the existing canopy, which is also used as the NEXUS<sup>16</sup> lane. The LPOE conducts pedestrian inspections, noncommercial primary and secondary vehicle inspections, and minimal bus and commercial inspections. Noncommercial vehicles traveling south bound feed four to seven primary inspection booths from the initial two lanes of traffic.

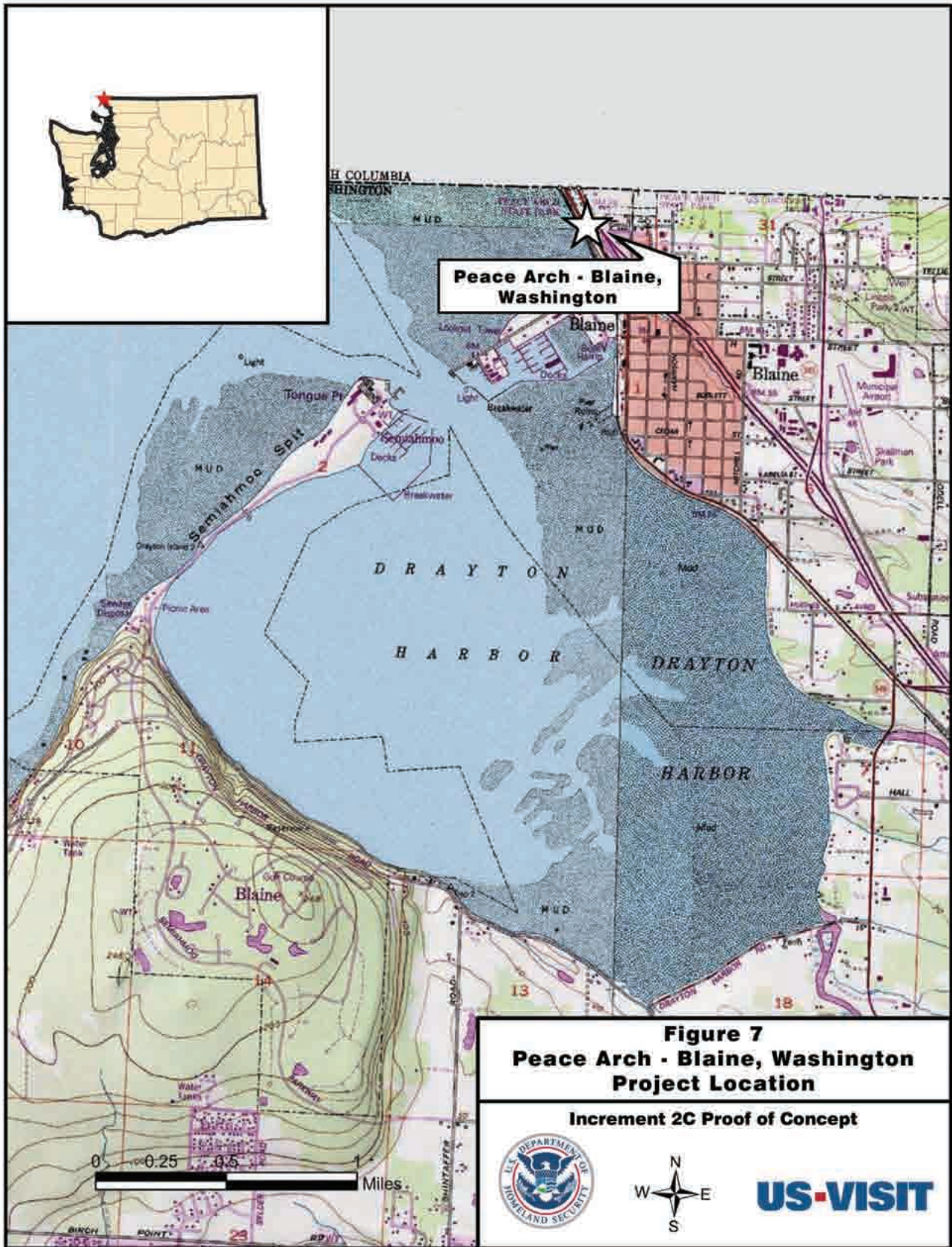
<sup>16</sup> The Canadian Border Dedicated Commuter Lane System (NEXUS) is a project of the Canada-United States Shared Border Accord, designed to facilitate pre-enrolled, low risk, vehicular traffic across the Canadian and United States border. Program participants are provided a NEXUS photo identification card, a proximity card and windshield decals for all vehicles registered in the program. Upon entry, the proximity card is read and the traveler's enrollment record (including photo) is displayed on a standalone module located outside of the primary inspection booth.













### 3.3 TRAFFIC

#### 3.3.1 AFFECTED ENVIRONMENT

##### 3.3.1.1 *Nogales East, Arizona*

The LPOE is located near the terminus of Interstate 29 (I-29) in the community of Nogales, Arizona. The interstate ends and becomes an urban arterial with at-grade intersections before intersecting with U.S. Route 89 (US 89) just north of the LPOE. Thus, the traffic entering and exiting the LPOE in the U.S. travels through a number of unsignalized and signalized intersections between the LPOE and the limited access facility. The land use surrounding the LPOE consists of commercial properties that contribute to the traffic generation of this area. Within a network of roadways, intersection controls such as stop signs and signals impact the flow of traffic.

Based on observations during the LPOE site reconnaissance, the Nogales East LPOE has commercial buildings and arterial road systems surrounding the site. The LPOE is organized to accommodate south-north traffic. There are no commercial vehicle inspection functions at this facility. A railroad is located to the east of the site and two trains are run through border inspection daily. A large-scale VACIS scans all inbound trains. The LPOE facilitates pedestrian inspections, noncommercial primary and secondary vehicle inspections, bus inspections, and periodic export (outbound) vehicle inspections.

Overall, there are eight enclosed inspection booths serving six active lanes of noncommercial vehicle inspection. Lane one and lane eight of the primary vehicle inspection are typically used when traffic is at its maximum. The secondary inspection canopy is located north of the main port building. It consists of twelve bays and two booths. There are two enclosed inspection bays with one vehicle lift. Export lanes include one booth. Temporary cones are set up for full exit inspection. Currently there are two lanes dedicated to outbound traffic and one outbound booth.

Performance Analysis System (PAS) Database (2003) Homeland Security Immigration Statistics (Table 2), reveal that the crossings of noncommercial vehicles range from 190,932 to 211,256 vehicles with the peak traffic occurring during the month of December. However, bus crossings were much lower in number only ranging from 84 to 218 with peak traffic also occurring during the month of December. In addition to noncommercial vehicle and bus traffic, the LPOE processes pedestrians with volumes ranging from a low of 301,226 persons in March to a high volume of 609,027 persons in November. Travelers requiring a Form I-94 or I-94W, ranged from a low of 6,204 in February to a high of 22,405 in July (Table 2).

##### 3.3.1.2 *Mariposa – Nogales West, Arizona*

The LPOE is located on North Mariposa Road (State Route 189) and is approximately 1.5-miles west of the Nogales East, Arizona LPOE. North Mariposa Road is a two-lane road. The LPOE is organized to accommodate south-north traffic with noncommercial inspection functions located on the western one-third of the site and commercial inspection functions located on the eastern two-thirds of the site. The LPOE facilitates pedestrian inspections, noncommercial primary and secondary vehicle inspections, bus inspections, commercial pre-primary, primary, and secondary vehicle inspections, and periodic commercial export vehicle inspections. The LPOE participates in a pilot program consisting of a commercial "pre-primary" inspection. Pre-primary inspection includes two covered lanes that are viewed from overhead catwalks by inspectors.

Noncommercial vehicles traveling northbound feed four primary inspection booths. Once the primary inspections have been completed, vehicles are either released to the U.S. or sent to a secondary inspection bay. There are no dedicated commuter lanes or automated inspections at this LPOE. Bus traffic is inspected in the noncommercial secondary inspection area.

Commercial primary inbound circulation from Mexico enters the U.S. via two dedicated lanes. Those that pass pre-inspection are sent to three FAST<sup>17</sup> lanes for inspection. Vehicles are either released for immediate entry into the U.S. where they proceed to the commercial exit booth, or they are sent to secondary inspection. In addition, inspectors at this LPOE periodically conduct commercial export inspections.

Traffic statistics for 2003 (Table 2), reveal that the crossings of noncommercial vehicles range from 79,759 to 127,118 vehicles with the peak traffic occurring during the month of June. The LPOE completes commercial inspection functions located on the eastern two-thirds of the site. However, commercial crossings were much lower in number than noncommercial vehicles ranging from 11,457 to 27,225, with peak traffic occurring during the month of January. In addition to noncommercial and commercial vehicle traffic, the LPOE processes buses with volumes ranging from a low of 286 buses in September to a high volume of 497 busses in January. Pedestrian crossings make up a smaller portion of the total traffic being processed through this facility with ranging values from 5,328 to 25,822 persons with peak crossings occurring during the month of December. Travelers requiring a Form I-94 (there were no I-94W travelers processed at this LPOE), ranged from a low of 4,083 in February to a high of 18,673 in July (Table 2).

### **3.3.1.3 Alexandria Bay/Thousand Islands, New York**

The LPOE is located at the terminus of Interstate 81 (I-81). I-81 is a four-lane, divided, limited access highway. The LPOE is organized to accommodate south-north traffic with noncommercial inspection functions located on the eastern side of the site and commercial inspection functions located on the western side of the site. The LPOE facilitates noncommercial primary and secondary vehicle inspections, bus inspections, commercial primary and secondary vehicle inspections, and outbound inspections (periodically).

Noncommercial vehicles traveling south bound feed six primary inspection booths from the initial two lanes of traffic. Once the primary inspections have been completed, vehicles are either released to the U.S. or sent to a secondary inspection bay south of the primary inspection area. There are no dedicated commuter lanes at this LPOE and bus traffic is inspected in Lane One (lane closest to the east side of the Main Port Building).

Commercial vehicles are separated from noncommercial vehicle inspections. Commercial vehicles enter a primary inspection area defined by three booths. Vehicles are either released for immediate entry into the U.S. where they proceed south to an exit lane, or they are sent to secondary inspection areas.

Based on traffic statistics for 2004 (Table 2), the majority of crossings at the LPOE are due to noncommercial vehicles rather than commercial vehicles, buses, or pedestrians. The database reveals that the crossings of noncommercial vehicles range from 33,853 to 95,404 vehicles with the peak traffic occurring during the month of July (no noncommercial vehicle data is available for March 2004). The LPOE completes commercial inspection functions; however, commercial crossings were much lower in number than noncommercial vehicles ranging from 16,606 to 20,098 with peak traffic occurring during the month of August. In addition to noncommercial and commercial vehicle traffic, this LPOE processes buses with volumes ranging from a low of 70 buses in January to a high volume of 289 busses in August, which is similar to peak commercial vehicle crossings. Pedestrian crossings are periodically processed through this facility with values ranging from 252 persons in June to 965 persons in July. Travelers requiring a Form I-94 or I-94W, ranged from a low of 703 in February to a high of 3,247 in August (Table 2).

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<sup>17</sup> The Free and Secure Trade (FAST) program provides expedited processing for qualifying commercial participants. FAST participants access dedicated commercial lanes for expedited processing. The system accesses the participant's enrollment record through read of a proximity card. FAST is currently deployed nationally on a limited basis.

### **3.3.1.4 Pacific Highway - Blaine, Washington**

The LPOE is serviced by one main two-lane road (State Route 543 [SR 543]). The LPOE accommodates south-north traffic with the noncommercial inspection functions located on the eastern one-third of the site and commercial inspection functions located on the western two-thirds of the site. The LPOE facilitates pedestrian inspections, noncommercial primary and secondary vehicle inspections, bus inspections, commercial primary and secondary inspections, and periodic outbound inspections. Directional signage separates commercial, noncommercial and pedestrian traffic into functional traffic lanes.

Noncommercial vehicles traveling southbound feed six primary inspection booths from the initial three lanes of traffic. There is one NEXUS lane at the LPOE. Commercial traffic (from Canada) enters from the north on Highway 15. Commercial vehicles enter a primary inspection area containing three FAST-equipped booths. Bus traffic is routed off commercial lanes to a designated area where they are inspected.

Based on traffic statistics for 2003 (Table 2), the majority of crossings at the LPOE are due to noncommercial vehicles rather than commercial vehicles or buses. The database reveals that the crossings of noncommercial vehicles range from 72,590 to 125,764 vehicles with the peak traffic occurring during the month of August. The LPOE completes commercial inspection functions; however, commercial crossings were much lower in number than noncommercial vehicles ranging from 23,187 vehicles in August to peak traffic volumes of 33,803 vehicles occurring in July. In addition to noncommercial and commercial vehicle traffic, the LPOE processes buses with volumes ranging from a low of 786 buses in February to a high volume of 1,818 buses in July, which is similar to peak commercial vehicle crossings. No data was available for pedestrian crossings through this facility. In addition, automated inspections are completed at this facility with volumes ranging from a low of 1,003 inspections in December to a high volume of 2,515 in March. Travelers requiring a Form I-94 or I-94W, ranged from a low of 2,323 in February to a high of 7,456 in July (Table 2).

### **3.3.1.5 Peace Arch - Blaine, Washington**

The LPOE is serviced by Interstate 5 (I-5). The LPOE is organized to accommodate noncommercial inspections. Commercial inspections are conducted in the by-pass lane west of the existing canopy, which is also used as the NEXUS lane. The LPOE facilitates pedestrian inspections, noncommercial primary and secondary vehicle inspections, and minimal bus and commercial inspections. Noncommercial vehicles traveling south bound feed four to seven primary inspection booths from the initial two lanes of traffic. There is one NEXUS lane.

Based on traffic statistics for 2004 (Table 2), the majority of crossings at the LPOE are due to noncommercial vehicles rather than commercial vehicles (including commerce and commercial passenger vehicles [i.e. taxis, vans]), buses, or pedestrians. The database reveals that the crossings of noncommercial vehicles range from 84,653 to 114,612 vehicles with the peak traffic occurring during the month of October. The LPOE completes commercial inspection functions; however, commercial crossings were much lower in number than noncommercial vehicles ranging from 24,131 vehicles in January to peak traffic volumes of 36,610 vehicles occurring in December. In addition to noncommercial and commercial vehicle traffic, the LPOE processes commercial passenger vehicles (i.e. taxis, vans) and buses with volumes ranging from 0 to 212 vehicles and 0 to 1,364 buses throughout the year (2004). Pedestrian crossings through this facility range from a low of 302 persons in December to a high of 3,875 persons in August. In addition, automated inspections are completed at this facility with volumes ranging from a low of 24,131 inspections in January 2004 to a high of 36,610 in December. These values are much higher than those reported for the Pacific Highway – Blaine LPOE facility. Travelers requiring a Form I-94 or I-94W, ranged from a low of 3,095 in February to a high of 7,938 in August (Table 2).

### 3.3.2 ENVIRONMENTAL CONSEQUENCES

The Increment 2C POC will have minimal impacts on LPOE operations and traffic flow through the facility. As part of US-VISIT's environmental planning approach, analysis of variables that could increase current wait times upon entry, degrade baseline level of service (LOS) for free-flow exit lanes, or significantly degrade LPOE traffic patterns, were evaluated. The following variables were considered in the design of the Increment 2C POC in order to minimize potential impacts to the traveling public and LPOE operations. The Proposed Action will be implemented in accordance with these considerations:

- Temporary construction activities will be conducted in a manner to minimize potential impacts. This will be achieved during the POC through selective lane closings during construction, construction during non-peak or closed hours, and no alteration of traffic flows or speed limits.
- All entry and exit lanes will be RFID-enabled to prevent changes in traffic flow (no dedicated lanes).
- Vehicular traffic will not be stopped on exit as part of the Increment 2C POC.
- Current speed limits will not be changed for exiting vehicles.
- No traffic attenuation or speed modification devices will be used (e.g., speed bumps).
- Ongoing public outreach will educate travelers on the new processing requirements at each of the five LPOEs.
- Appropriate signage will be installed to aid in-scope travelers on the new procedures.
- Ensure consistent appearance between LPOEs so all signage/postings/RFID configurations are similar.
- Coordinate other LPOE maintenance/repair operations with the POC implementation.
- Implementation of an adaptive management process (as described below).

For the five LPOEs, Table 2 provides a summary of baseline border traffic statistics. The Preferred Alternative will not result in a change in: the vehicle mix, the number of in-scope travelers processed, or the number of monthly crossings processed at each of the five LPOEs. The Preferred Alternative will not impact current traffic volumes nor the physical capacity of a LPOE to process vehicles or pedestrians. Although it is anticipated that the Preferred Alternative will not impact traffic operations, US-VISIT will use an adaptive management approach to provide for ongoing monitoring and potential mitigation of unanticipated impacts.

As part of the adaptive management process, US-VISIT will perform time studies and document the standard operating procedures for the current primary inspection process on inbound operations (noncommercial vehicle, pedestrian, and buses); perform time studies and document on videotape current operations and traffic flow for all outbound noncommercial vehicle and pedestrian traffic; and, through observations and interviews, update the existing baseline BorderWizard<sup>18</sup> data set for each of the five LPOEs and validate simulation model results.

During Phases I and II of the Increment 2C POC 90-day test and immediately thereafter, US-VISIT will monitor potential impacts to traffic by performing time studies and documenting the standard operating procedures for the primary and secondary inspection process on inbound operations (noncommercial vehicle, pedestrian, and buses); performing time studies and documenting (on videotape) post implementation 2C operations and traffic flow for all outbound noncommercial vehicle and pedestrian traffic; utilizing BorderWizard to analyze the

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<sup>18</sup> BorderWizard provides core capabilities for simulating the arrival and processing of commercial vehicle, passenger vehicle, bus, and pedestrian traffic entering the U.S. at a LPOE. The system consists of a database management system, a layout tool, two discrete-event simulation models, a statistical reporting system, and a 2-D animation capability. US-VISIT uses BorderWizard to measure the impact of change in inspection technology and procedures on processing times at the nations POEs. Wait Time output statistics can be readily input into the MOBILE and California emission model to measure environmental impact.

potential impact of the Increment 2C POC on traffic operations; and monitoring and identifying potential increases or decreases in traffic operations.

At this time, unanticipated temporary impacts can be mitigated or minimized at each of the five LPOEs by addressing the measures (as described in the bullets above) and by temporarily modifying LPOE traffic operations during time of POC equipment installation. Because the five LPOEs very rarely have all lanes operational at any given time, planned installation activities can be timed so as to not impede baseline traffic flow through the LPOE facilities. Other modifications can include strategic opening (and closing) of entry and exit lanes and performing installation activities at night or during low volume border crossing periods. If even with mitigation, US-VISIT determines that unanticipated impacts are unacceptable, the POC may be discontinued.

### **3.4 SOCIOECONOMICS**

Socioeconomics were assessed by conducting a qualitative analysis and through site verification of the five LPOEs and adjacent areas with respect to households, businesses, and community facilities. Demographic characteristics such as total population, minority populations, age characteristics, housing occupancy, and income were collected and analyzed from the 2000 census at the county, place, and block group levels. Economic data at the county level, including total employment, sector employment, and number of establishments, were collected from County Business Pattern Data from the U.S. Census Bureau and Regional Economic Income Statistics (REIS) from the Bureau of Economic Analysis. Site reconnaissance of the five LPOEs and adjacent areas confirmed the presence or absence of households, businesses, and community facilities with a potential for impact. Land uses within and adjacent to the LPOE were validated during the site reconnaissance. The following sections provide a qualitative description of the types of facilities and services in the vicinity of the LPOE crossing.

TABLE 2  
INCREMENT 2C POC 2003/2004 TRAFFIC VOLUME STATISTICS

	Jan 2003	Feb 2003	Mar 2003	Apr 2003	May 2003	Jun 2003	Jul 2003	Aug 2003	Sep 2003	Oct 2003	Nov 2003	Dec 2003
<b>Nogales East, Arizona</b>	190,932	204,890	205,205	203,336	208,367	208,949	203,061	201,787	207,004	197,181	190,516	211,256
(L) Noncommercial Vehicles	0	0	0	0	0	0	0	0	0	0	0	0
(L) Commercial Passenger Vehicles (Taxis, Vans)	124	84	124	120	124	132	163	171	168	120	118	218
(L) Buses	0	0	0	0	0	0	0	0	0	0	0	0
(L) Commercial Vehicles - Commerce	0	0	0	0	0	0	0	0	0	0	0	0
(L) Automated Inspections	0	0	0	0	0	0	0	0	0	0	0	0
<b>SubTotal - Land Crossings</b>	191,056	204,974	205,329	203,456	208,491	209,081	203,224	201,958	207,172	197,301	190,634	211,474
(L) Pedestrians	494,844	390,093	301,226	327,742	403,734	408,570	332,819	329,520	341,029	379,054	609,027	570,391
I-94	81	77	82	93	87	92	88	75	91	86	59	94
I-94W	8,376	6,127	6,612	13,336	8,505	9,912	22,317	13,627	7,469	6,731	10,253	17,034
<b>Mariposa - Nogales West, Arizona</b>	Jan 2003	Feb 2003	Mar 2003	Apr 2003	May 2003	Jun 2003	Jul 2003	Aug 2003	Sep 2003	Oct 2003	Nov 2003	Dec 2003
(L) Noncommercial Vehicles	123,028	115,449	110,626	117,322	126,437	127,118	122,081	121,485	116,372	115,055	103,450	79,759
(L) Commercial Passenger Vehicles (Taxis, Vans)	0	0	0	0	0	0	0	0	0	0	0	0
(L) Buses	497	371	284	341	427	436	326	332	286	305	361	368
(L) Commercial Vehicles - Commerce	27,225	24,416	25,931	23,544	22,975	23,221	12,755	13,241	11,457	15,205	18,488	22,097
(L) Automated Inspections	0	0	0	0	0	0	0	0	0	0	0	0
<b>SubTotal - Land Crossings</b>	150,750	140,236	136,841	141,207	149,839	150,775	135,162	135,058	128,115	130,565	122,299	102,224
(L) Pedestrians	7,021	6,785	6,512	6,747	6,821	7,101	7,129	6,543	6,468	5,328	20,719	25,822
I-94	4,942	4,083	4,332	10,284	5,638	7,002	18,673	11,367	4,774	4,221	6,361	12,749
I-94W	0	0	0	0	0	0	0	0	0	0	0	0
<b>Alexandria Bay/Thousand Islands, New York</b>	Jan 2004	Feb 2004	Mar 2004	Apr 2004	May 2004	Jun 2004	Jul 2004	Aug 2004	Sep 2004	Oct 2004	Nov 2004	Dec 2004
(L) Noncommercial Vehicles	33,853	35,433		43,673	55,827	64,396	95,404	92,289	65,750	57,223	44,517	38,328
(L) Commercial Passenger Vehicles (Taxis, Vans)	0	0	0	0	0	0	0	0	0	0	0	0
(L) Buses	70	103	185	167	243	182	238	289	253	247	155	86
(L) Commercial Vehicles - Commerce	17,593	19,053	19,076	19,558	19,507	19,946	18,139	20,098	20,087	19,817	19,429	16,606
(L) Automated Inspections	0	0	0	0	0	0	0	0	0	0	0	0
<b>SubTotal - Land Crossings</b>	51,516	54,589	19,261	63,398	75,577	84,524	113,781	112,676	86,090	77,287	64,101	55,020
(L) Pedestrians	0	0	0	0	0	252	965	0	0	0	0	0
I-94	496	422	614	849	919	1,019	1,585	1,551	1,052	930	641	1,090
I-94 W	248	281	346	551	575	881	1,483	1,696	992	801	432	390

	Jan 2003	Feb 2003	Mar 2003	Apr 2003	May 2003	Jun 2003	Jul 2003	Aug 2003	Sep 2003	Oct 2003	Nov 2003	Dec 2003
<b>Pacific Highway – Blaine, Washington</b>												
(L) Noncommercial Vehicles	81,035	72,590	74,005	74,771	83,826	89,850	110,109	125,764	92,651	83,521	82,317	80,411
(L) Commercial Passenger Vehicles (Taxis, Vans)												
(L) Buses	832	786	850	950	1,485	1,555	1,818	1,804	1,548	978	908	846
(L) Commercial Vehicles - Commerce	24,000	29,076	32,098	31,436	31,376	32,190	33,803	23,187	29,493	33,765	29,768	26,446
(L) Automated Inspections	2,226	2,133	2,515	1,732	1,516	1,516	1,284	1,061	1,241	1,212	1,057	1,003
SubTotal - Land Crossings	108,093	104,585	109,468	108,889	118,203	125,111	147,014	151,816	124,933	119,476	114,050	108,706
(L) Pedestrians			0	0								
I-94	1,871	1,225	1,855	2,515	1,808	1,619	2,963	3,159	1,827	1,599	1,722	2,404
I-94W	1,348	1,098	1,837	2,073	3,235	1,903	4,493	4,075	3,642	1,504	1,527	1,609
<b>Peace Arch – Blaine, Washington</b>												
(L) Noncommercial Vehicles	94,217	99,548	111,441	87,803	94,025	84,653	105,739	112,155	93,722	114,612	107,043	108,016
(L) Commercial Passenger Vehicles (Taxis, Vans)												
(L) Buses	10	12	0	0	0	30	0	0	0	212	180	8
(L) Commercial Vehicles - Commerce	59	80	1,026	1,364	7	120	35	7	6	5	3	0
(L) Automated Inspections	30	0	0	20	0	10	0	0	0	30	25	0
SubTotal - Land Crossings	24,131	25,663	28,546	31,061	31,490	30,492	33,154	32,759	28,696	28,948	26,369	36,610
(L) Pedestrians	118,447	125,303	141,013	120,248	125,522	115,305	138,928	144,921	122,424	143,807	133,620	144,634
I-94	2,399	3,782	647	700	717	658	793	3,875	2,291	626	582	302
I-94W	2,028	1,784	2,297	4,032	2,544	2,390	3,783	3,720	2,284	2,499	2,207	3,044
I-94W	1,142	1,311	1,612	2,839	2,344	2,533	3,872	4,218	2,647	1,962	1,292	1,621

Note: "Automated Inspections" refers to NEXUS/FAST lane inspections. Of the five ports, only the two Blaine ports currently have this technology.  
 Source: Performance Analysis System (PAS) Database (2003, 2004) Homeland Security Immigration Statistics. Pedestrian and vehicular Crossings are for U.S. entry only.  
 Data prepared by RTR Technologies.

### 3.4.1 AFFECTED ENVIRONMENT

#### ***3.4.1.1 Nogales East, Arizona***

The LPOE is located within the City of Nogales, an incorporated city in Santa Cruz County, Arizona. The LPOE provides direct access into Nogales, Sonora, Mexico. Nogales' retail district is the dominant economic activity in the vicinity of the LPOE. The LPOE is open 24 hours daily and is a major pedestrian port. A broad variety of retail establishments are located within the vicinity of the LPOE. In general, retailers include restaurants, clothing stores, auto parts suppliers, duty-free shops, and other retail establishments to the east of the LPOE. A full range of services and attractions, including currency exchange, banks, churches, parks, and museums, are provided in Nogales.

Total full-time and part-time employment in Santa Cruz County in 2000 was 15,956 jobs. Services, retail trade, and government were the predominant employment sectors with 20 percent of the labor share in 2000. (U.S. Department of Commerce, 2002). County Business Patterns identified over 1,000 nonagricultural establishments in the county in 2000.

#### ***3.4.1.2 Mariposa – Nogales West, Arizona***

The LPOE is located within the City of Nogales, an incorporated city in Santa Cruz County, Arizona. The LPOE provides direct access into Nogales, Sonora, Mexico. The border crossing and the warehouse facilities to the west of the LPOE are the dominant economic activities in the vicinity of the LPOE. The LPOE is open 24 hours daily and is a major commercial port. Existing businesses adjacent to the port are commercial-related and include trucking and warehousing.

Total full-time and part-time employment in Santa Cruz County in 2000 was 15,956 jobs. Services, retail trade, and government were the predominant employment sectors, comprising 20 percent of the labor share in 2000. (U.S. Department of Commerce, 2002). County Business Patterns identified over 1,000 nonagricultural establishments in the county in 2000.

#### ***3.4.1.3 Alexandria Bay/Thousand Islands, New York***

The LPOE is located on Wellesley Island in Jefferson County, New York. The Village of Alexandria Bay is approximately eight miles to the east of the port. The LPOE provides access to the village of Landsdowne in Ontario, Canada. The border crossing and port-related establishments are the dominant economic activities in the vicinity of the LPOE. The LPOE is open 24 hours daily and accepts both commercial and noncommercial traffic. Commercial traffic includes a broad mix of industries and services. Tourists are the predominant noncommercial traffic since Interstate 81 (I-81) is a major north-south thoroughfare and the Thousand Islands area is a popular vacation destination. There are also several seasonal residences located in the vicinity of the LPOE.

In 2000, total full-time and part-time employment in Jefferson County was 60,941 jobs. The dominant employment sectors were government (36 percent), services (22 percent), and retail trade (17 percent). (U.S. Department of Commerce, 2003). County Business Patterns identified 2,306 nonagricultural establishments in the county in 2000.

#### ***3.4.1.4 Pacific Highway - Blaine, Washington***

The LPOE is located within the City of Blaine and Whatcom County, Washington. The border crossing and supporting commercial facilities are the dominant economic activity in the vicinity of the LPOE. The LPOE is open 24 hours daily and processes both commercial and noncommercial traffic. The commercial development to the east of the LPOE is related to shipping and duty free shops.

Total full-time and part-time employment in Whatcom County in 2000 was 92,166 jobs. Services (27 percent), retail trade (19 percent), government (13 percent), manufacturing (11 percent), and construction (9 percent)



were the largest employment sectors in Whatcom County. (U.S. Department of Commerce, 2002). County Business Patterns identified 5,386 nonagricultural establishments in the county in 2000.

#### **3.4.1.5 Peace Arch - Blaine, Washington**

The LPOE is located within the City of Blaine, Whatcom County. The border crossing and several retail and service establishments are the economic activities in the vicinity of the LPOE. The LPOE is open 24 hours and processes primarily noncommercial traffic. Businesses to the southeast of the LPOE include duty free shops and restaurants. The central business district of Blaine is located south of the LPOE along Interstate 5 (I-5).

Total full-time and part-time employment in Whatcom County in 2000 was 92,166 jobs. Services (27 percent), retail trade (19 percent), government (13 percent), manufacturing (11 percent), and construction (9 percent) were the largest employment sectors in Whatcom County. (U.S. Department of Commerce, 2002). County Business Patterns identified 5,386 nonagricultural establishments in the county in 2000.

### **3.4.2 ENVIRONMENTAL CONSEQUENCES**

Cross-border tourism is critical to the retail, wholesale, manufacturing, and industrial communities of the U.S.-Canada and U.S.-Mexico borders. LPOE operations that result in adversely affecting wait times (i.e., travelers, goods, and services) or impeding trade, could result in quantifiable direct and indirect costs as well as less quantifiable intangible costs.

Direct costs are those costs incurred at the city, county, state, and federal levels. For example, for the border community following the events of 9-11, some potential direct costs were:

- cost of increased activity by Border Agencies.
- cost of increased National Guard activity to supplement operations by Border Agencies.
- cost of increased LPOE security and of local police and fire departments.
- cost to local health facilities and hospitals to enhance preparedness.
- cost of increased biohazard and bio-terrorism preparedness at all levels.
- cost borne by private enterprise to increase security measures.

Examples of potential indirect costs were:

- delays in moving trade across the Mexico-U.S. and Canada-U.S. borders.
- delays in work trips for people living on one side of the border and working on the other.
- delays for pedestrian and passenger vehicle crossings.
- decline in tourism activity (e.g., hotel, restaurant, and retail sales).

Intangible costs are those costs that are not quantifiable, such as:

- decline in consumer confidence.
- increased sense of risk.
- general sense of fear affecting consumer behavior and mobility.

US-VISIT analyzed the potential for these types of cost impacts for the Increment 2C POC. US-VISIT also looked at potential beneficial cost impacts as a result of implementing the Proposed Action.

Although it is difficult to quantify, the potential of US-VISIT in preventing a terrorist attack cannot be understated. Beneficial impacts as a result of implementing activities such as US-VISIT, is the deterrence or prevention of a terrorist attack. A study conducted by the RAND Corporation (Zycker, 2003), estimates a mid-

range value of \$183 billion per year as a benefit resulting from the prevention of a single terrorist attack in the U.S. Depending on the effectiveness of US-VISIT in preventing such an attack, some level of this benefit may be achieved with the implementation of US-VISIT. While this type of benefit may not be easily measured, it is an important consideration in the analysis of potential socioeconomic impacts.

Another potential beneficial impact is the possible reduction in existing baseline wait times at primary inspection after implementation of Increment 2C. Some of this benefit has already been seen in the Increment 2B deployment through the automated creation of I-94 departure records which were manually produced prior to the deployment. For Increment 2C, following initial enrollment of in-scope travelers at secondary inspection and their subsequent departure from the U.S., travelers returning through primary inspection may require less time for processing due to the CBP Officer having the in-scope traveler's biographic and biometric information available to them prior to the actual inspection. This may result in positive direct, secondary, and intangible impacts (as described above) on all travelers entering the U.S. from Canada or Mexico. As such, a reduction in wait times could result in beneficial socioeconomic impacts (as described above) on the surrounding border communities, the region, and the nation.

Section 3.3.2 of this document provides an analysis of the variables that were assessed and considered in the design of the Increment 2C POC in order to minimize potential impacts to the traveling public and LPOE traffic operations. Based on that analysis and measures to minimize potential impacts to wait times, LOS for free-flow exit lanes, and minimizing changes in traffic patterns from baseline conditions, it is unlikely that the Preferred Alternative will significantly impact baseline traffic conditions at the five LPOEs. Since no traffic delays as a result of implementation are anticipated, no costs related to trade or travel are expected.

US-VISIT has assessed the Preferred Alternative and its potential for impacting port operations that, in a measurable way, would impact travelers, goods and services, and legitimate trade. US-VISIT established at the outset of the Increment 2C POC that it would not adversely impact current LPOE operations and that the design of the POC and its implementation would be performed in a manner that does not increase current wait times upon vehicle and pedestrian entry, not degrade baseline level of service (LOS) for free-flow exit lanes, and not significantly degrade LPOE traffic patterns. Because the Increment 2C POC is being implemented in this manner, and the fact that there is an ongoing adaptive management process by which to address unanticipated impacts to LPOE operations, it is highly unlikely that the Preferred Alternative will result in significant socioeconomic impacts to the surrounding border communities at each of the five LPOEs, or result in regional or national impacts to trade, travel, or commerce. As discussed above, implementation of the Preferred Alternative may result in reducing wait times upon vehicle and pedestrian entry, which would result in beneficial socioeconomic impacts to the surrounding border communities.

### **3.4.3 MINORITY/LOW INCOME POPULATIONS AND CHILDREN**

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) and Executive Order 13045 (Protection of Children from Environmental Health Risks and Safety Risks) were addressed to determine if the Preferred Alternative could result in disproportionate risks or impacts to minority populations, low-income populations, or children.

#### ***3.4.3.1 Affected Environment***

With respect to disproportionate risks or impacts to minority populations, low-income populations, or children, there are two general populations associated with each of the five LPOEs: the border community; and the traveling public.

### **3.4.3.2 Environmental Consequences**

For the traveling public, the Preferred Alternative will process the same subset of travelers (i.e., in-scope travelers) that already require processing in secondary inspection. The Preferred Alternative may in fact, result in a beneficial impact on this population of travelers in that the amount of time it will take to cross the border (upon subsequent reentry into the U.S.) may be reduced following initial enrollment and processing in secondary inspection.

The second population, border communities, are inherently tied to the LPOE, and could incur socioeconomic impacts depending on a host of factors that result in a change in the time it takes for travelers to cross the U.S. border with Mexico or Canada. However, as discussed in Section 3.3.2 and Section 3.4.2 above, it is likely that these impacts will be beneficial in nature due to the positive socioeconomic impacts that would likely occur if vehicle and pedestrian wait times were reduced when compared to the baseline condition at each of the five LPOEs.

US-VISIT has determined that the Preferred Alternative, which includes minor modifications to existing LPOE infrastructure and secondary processing of in-scope travelers, will not result in adverse disproportionate risks or impacts to minority populations, low-income populations, or children within the border communities and the traveling public. Implementing the Preferred Alternative will not result in a change in the number or population of travelers subject to US-VISIT processing or the definition of an in-scope traveler. The Preferred Alternative will not require physical expansion of the LPOE facility (which could impact minority populations, low-income populations, or children) associated with a border community, increase baseline wait times (which could impact border communities and socioeconomic activity), degrade level of service (LOS) for free-flow exit lanes (which could result in both socioeconomic impacts and traffic-related impacts to children), or significantly degrade traffic patterns. In fact, as discussed in Section 3.4.2 above, implementation of the Preferred Alternative may result in reducing wait times upon vehicle and pedestrian entry, which would result in beneficial socioeconomic impacts to the surrounding land border communities.

## **3.5 PRIVACY**

To address the privacy concerns associated with the US-VISIT Program, US-VISIT is implementing comprehensive privacy controls, which will be modified and updated as the US-VISIT Program is revised and/or expanded. These controls consist of:

- Public education through transparency of the program, including development and publication of a Privacy Policy that will be disseminated prior to the time information is collected from potential visitors.
- Establishment of privacy sensitivity awareness programs for US-VISIT operators.
- Establishment of a Privacy Officer for US-VISIT and implementation of an accountability program for those responsible for compliance with the US-VISIT Privacy Policy.
- Periodic strategic reviews of US-VISIT data to ascertain that the collection is limited to that which is necessary for US-VISIT stated purposes.
- Usage agreements between US-VISIT and other agencies authorized to have access to US-VISIT data.
- To the extent permitted by law, regulations, or policy, establishment of opportunity for covered individuals to have access to their information and/or allow them to challenge its completeness.
- Maintenance of security safeguards (physical, electronic, and procedural) consistent with federal law and policy to limit access to personal information only to those with appropriate rights, and to protect information from unauthorized disclosure, modification, misuse, and disposal, whether intentional or unintentional.
- Establishment of administrative controls to prevent improper actions due to data inconsistencies from multiple information sources.

US-VISIT has evaluated potential security and privacy issues relating to implementation and testing of the Proposed Action as part of the Increment 2C RFID Feasibility Study (US-VISIT, 2005b). No adverse impacts to privacy were anticipated. US-VISIT is also in the process of conducting a separate Privacy Impact Assessment (PIA), which will be published in the Federal Register for public review.

### 3.6 HEALTH

The implementation of the Proposed Action will occur under Federal Communications Commission (FCC) Part 90 and Part 15 Radio Licenses (depending on power requirement). US-VISIT has determined that potential radio frequency (RF) exposures to the CBP Officers and the general public as a result of this Proposed Action are well below the FCC guidelines following the guidance provided in FCC's Office of Engineering and Technology (OET) Bulletin 65.

US-VISIT looked at all reasonable configurations of transmitting antennas and, as a worse case scenario, assumed a continuous and whole body exposure to the RF field resulting from the transmitters. US-VISIT intends to use the following power levels expressed in effective isotropic radiated power (EIRP) for the POC.

- Vehicle Exit overhead and side-fire antennas: 30 Watts EIRP (FCC Part 90 Regulations).
- Vehicle Entry (bus lanes) side-fire antennas: 30 Watts EIRP (FCC Part 90 Regulations).
- Vehicle Entry (passenger cars/trucks) side-fire antennas: 5 Watts EIRP (FCC Part 15 Regulations).
- Pedestrian Entry (portal): 5 Watts EIRP (FCC Part 15 Regulations).
- Pedestrian Exit (portal): 5 Watts EIRP (FCC Part 15 Regulations).

FCC Guidelines provide an equation by which project proponents calculate safe exposure levels for any situation. For the proposed action, the situation is exit/entry technology mounted in a certain configuration and operating at certain power levels. US-VISIT used the FCC equation to calculate the General Population/Uncontrolled Power Density (mW/cm<sup>2</sup>) in order to compare it to the FCC limit of 0.61 mW/cm<sup>2</sup>. This means that the general population passing through the port can have a maximum exposure to radio frequency waves of 0.61 mW/cm<sup>2</sup>. The FCC Occupational/Controlled Power Density Limit is 3.05 mW/cm<sup>2</sup>. This means that the workers at the port can have a maximum exposure of 3.05 mW/cm<sup>2</sup>.

To make sure that the area would be safe for the travelers and the workers, US-VISIT calculated the power density for different areas of the port with the technology in various configurations. The expected power density exposure ranges from 0.016 to 0.239 mW/cm<sup>2</sup>. This exposure range is substantially lower than the FCC maximum exposure levels. The highest power density calculated is 0.239 mW/cm<sup>2</sup> or only one-third (approximately 30 percent) of the traveler exposure limit of 0.61 mW/cm<sup>2</sup>, or about 8 percent of the worker exposure limit of 3.05 mW/cm<sup>2</sup>.

All calculations for exposure levels per FCC OET Bulletin 65 were well within the guidelines established by FCC; therefore there is no potential for human health impacts. Detailed results are provided in Appendix B.

### 3.7 HAZARDOUS MATERIALS HISTORY

Potential for hazardous materials was evaluated by performing a Phase I Environmental Site Assessment (ESA) following the *American Society for Testing Materials (ASTM) Standard Practice for Environmental Site Assessments: E1527-00*. The following sections summarize each LPOE site visit and the results of the regulatory database search that was conducted within a one-mile ASTM search radius surrounding each LPOE to establish an existing condition within the context of a Phase I assessment.

### 3.7.1 AFFECTED ENVIRONMENT

#### 3.7.1.1 *Nogales East, Arizona*

The LPOE was not identified in any of the regulatory database searched by InfoMap. However, the regulatory database report identified one Superfund (SP) site, one Resource Conservation & Recovery Act Generator (RCRAGN) site, two underground storage tank (UST) sites, one leaking underground storage tank (LUST) site, three Emergency Response Notification System (ERNS) sites, one "other" site, one No Further Remedial Action Planned (NFRAP) site, and one unmappable Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) orphan site within the one-mile ASTM search radius.

None of the mapped or unmapped sites were observed to be adjacent to the Nogales East LPOE, although their exact locations are unknown. However, due to the LPOE's dependence upon the City of Nogales's municipal water treatment system for potable water, and due to the LPOE's lack of wells, seeps, or other points of exposure, these sites are not considered to pose environmental concerns to the LPOE.

#### 3.7.1.2 *Mariposa – Nogales West, Arizona*

The LPOE was not identified in any of the regulatory databases searched. However, there was one NFRAP site and one SP site within the specified one-mile ASTM search radius and three unmappable UST, LUST, and solid waste landfill (SWL) sites identified in the regulatory database report. The orphan SWL site, Sasabe, was observed to be located adjacent to the LPOE. These sites are not considered to be of significant environmental concern based on the use of city water at the site and lack of exposure points.

#### 3.7.1.3 *Alexandria Bay/Thousand Islands, New York*

The LPOE was not identified in any of the regulatory databases searched. However, one Resource Conservation and Recovery Information System-Small Quantity Generator (RCRIS-SQG) site was within the specified one-mile ASTM search radius and thirty-three unmappable New York Information Databases (NYSPILLS), leaking storage tanks (LTANKS), RCRIS-SQG, Facility Index System (FINDS), or ERNS orphan sites were identified in the regulatory database. None of the unmapped facilities identified in the regulatory database report were observed to be adjacent to the LPOE during the site visit. The majority of these facilities appear to be located greater than one mile from the LPOE. Based on the distances of these facilities from the LPOE, they do not pose an environmental concern for the Alexandria Bay/Thousand Islands LPOE.

#### 3.7.1.4 *Pacific Highway - Blaine, Washington*

There are nine unmappable UST, LUST, Washington State Environmental Databases (STATE), RCRAGN, and ERNS orphan sites identified in the regulatory database report. None of the unmapped facilities identified in the regulatory database report were observed to be adjacent to the LPOE during the site visit. The majority of these facilities appear to be located greater than one mile from the LPOE. Based on the distances of these facilities from the LPOE, they do not pose an environmental concern for the Pacific Highway-Blaine LPOE.

#### 3.7.1.5 *Peace Arch - Blaine, Washington*

There were two LUSTs, one UST, and one STATE site within the one-mile ASTM-specified search radius. Additionally, there were sixteen unmappable ERNS, STATE, RCRAGN, UST, and LUST orphan sites identified in the regulatory database report. None of the mapped or unmapped facilities identified in the regulatory database report were observed to be adjacent to the LPOE during the site visit, although the exact locations of these sites are unknown. These sites are not believed to pose a significant environmental concern to the LPOE, based on the LPOE's utilization of piped municipal water and due to the site's lack of wells, seeps, or other points of possible exposure.

### 3.7.2 ENVIRONMENTAL CONSEQUENCES

As discussed in the affected environment, no conditions were identified, within the limitations of a Phase I ESA, that could impact the construction and implementation of the Preferred Alternative, which includes minor modifications to existing LPOE infrastructure and secondary processing of in-scope travelers. However, since Phase II subsurface investigations have not been performed, the presence of subsurface conditions that could impact the construction of the Preferred Alternative cannot be ruled out. It is the intent of US-VISIT to follow appropriate protocols for the protection of workers and the environment should evidence or observations emerge during construction activities that reveal unknown, atypical, or hazardous conditions.

During construction, all activities will be conducted in compliance with applicable federal, state, and local regulations. Any contaminated soils encountered during construction will be handled in accordance with applicable federal and state regulations and requirements.

The Proposed Action also has no potential for hazardous waste generation, since it is primarily a technology and business process implementation and testing.

### 3.8 CULTURAL RESOURCES

The National Historic Preservation Act (NHPA) requires that a federal agency take into account the potential of their action to affect historic properties (i.e., buildings or sites that are eligible or potentially eligible for the National Register of Historic Places [NRHP]). To determine whether or not an action has an effect, the Agency can use the Section 106 process, which presents a procedure to evaluate the impacts. The first step is to identify whether or not historic properties are present in the project area. US-VISIT conducted cultural resources surveys at the five LPOEs for the purpose of identifying historic properties in accordance with the requirements of the NHPA. Properties identified by the cultural resources surveys were evaluated for their potential to be eligible for listing in the NRHP by applying the criteria of integrity and eligibility as described in National Register Bulletin 15. Finally, the effects of the action to the integrity and eligibility of the historic properties were evaluated. The results of the cultural resources surveys, evaluations of the integrity and eligibility of the cultural resources, and the recommendation of the Preferred Alternative effects, have been forwarded to the State Historic Preservation Officers (SHPO), GSA as the landowner, and pertinent Native American Tribes for concurrence. Under Section 106, concurrence is defined as providing the SHPO, agencies, and Tribes an opportunity to review and comment on the action.

The following sections summarize the results of the fieldwork and evaluation by LPOE.

#### 3.8.1 AFFECTED ENVIRONMENT

##### *3.8.1.1 Nogales East, Arizona*

The Federal building at the Nogales East LPOE is listed on the NRHP and the area adjacent to the LPOE is a listed historic district. The overhead gantry to be installed at Nogales will extend from an existing structure in the median between the inbound and outbound lanes, across the outbound roadway. The gantry will be in an area that is surrounded by the existing LPOE, security, and safety equipment. The view from the Federal building will be similar to the current view in that there is a large new building behind the gantry. This building has already impacted the integrity of the view from the Federal building. The visible elements of the current installation will, therefore, not impact the integrity of the eligible and listed structures in the surrounding area. Therefore, implementation of the Preferred Alternative will have no adverse effect to historic properties at this LPOE. US-VISIT has forwarded the findings of this evaluation to the Arizona SHPO, GSA, the Hopi Tribe, San Carlos Apache Tribe, Tohono O'odham Nation, and the White Mountain Apache Tribe (Appendix C).

### ***3.8.1.2 Mariposa – Nogales West, Arizona***

The cultural resources survey at the Mariposa – Nogales West LPOE did not identify any archaeological sites or historic buildings. Since no historic properties were identified, the Preferred Alternative will have no effect to historic properties at this LPOE. US-VISIT has forwarded the findings of this evaluation to the Arizona SHPO, GSA, the Hopi Tribe, San Carlos Apache Tribe, Tohono O'odham Nation, and the White Mountain Apache Tribe (Appendix C).

### ***3.8.1.3 Alexandria Bay/Thousand Islands, New York***

The cultural resources survey at the Alexandria Bay/Thousand Islands LPOE determined that the land surrounding the LPOE structures was sufficiently disturbed to have no potential for intact archaeological remains. The fieldwork identified two historic-age buildings at the LPOE, the LPOE building itself, and an adjacent office building. Both buildings were determined to be ineligible for listing on the NRHP due to lack of integrity (SHPO concurrence pending). Since no historic properties were identified, the Preferred Alternative will have no effect to historic properties at this LPOE. US-VISIT has forwarded the findings of this evaluation to the New York SHPO, GSA, and the Seneca Nation of Indians (Appendix C).

### ***3.8.1.4 Pacific Highway - Blaine, Washington***

The cultural resources survey at the Pacific Highway – Blaine LPOE determined that the LPOE was sufficiently disturbed to have no potential for intact archaeological remains. No historic buildings were identified during the fieldwork. Since no historic properties were identified, the Preferred Alternative will have no effect to historic properties at this LPOE. US-VISIT has forwarded the findings of this evaluation to the Washington SHPO, GSA, the Lummi Nation, Nooksack Reservation, and the Upper Skagit (Appendix C).

### ***3.8.1.5 Peace Arch - Blaine, Washington***

The cultural resources survey at the Peace Arch – Blaine LPOE determined that the LPOE was sufficiently disturbed to have no potential for intact archaeological remains. No historic buildings were identified during the fieldwork. The Peace Arch and the land it resides on are adjacent to the LPOE and are listed on both the National and State Registers of Historic Places. The overhead gantry to be installed is the standard Washington State Department of Transportation (WSDOT) design and will match a similar overhead gantry that is further to the south of the LPOE. The visible elements of the installation will not impact the integrity of the historic structure. Since no historic properties were identified at the LPOE, and the Preferred Alternative will not adversely affect the integrity of the Peace Arch or the land it resides on, the Preferred Alternative will have no adverse effect to historic properties at this LPOE. US-VISIT has forwarded the findings of this evaluation to the Washington SHPO, GSA, the Lummi Nation, Nooksack Reservation, and Upper Skagit (Appendix C).

## **3.8.2 ENVIRONMENTAL CONSEQUENCES**

The Customs building at the Nogales LPOE, the neighborhood adjacent to the Nogales East LPOE, and the Peace Arch adjacent to the Peace Arch LPOE, are listed on the NRHP. No other historic properties were identified at the five LPOEs. Since the Preferred Alternative will have no impact to the integrity of the historic properties, consultation letters were sent to the New York, Arizona, and Washington SHPOs, GSA, relevant Native American Tribes, and other interested parties recommending that the Preferred Alternative will have no adverse effect to historic properties (Appendix C). In the event that any consulting party disagrees with this determination, US-VISIT will work in coordination with the consulting party to resolve or address their concerns.

### **3.9 AIR QUALITY**

US-VISIT conducted detailed air quality analyses for highly conservative and comprehensive worst-case conditions. These analyses included scenarios that would vastly exceed any likely future condition at a LPOE as a result of a US-VISIT undertaking for Increment 2C (defined as a highly conservative worst-case condition). This method was a practical and proactive approach to evaluating potential air quality changes. Appendix D includes the air quality analyses and other relevant data summarized below.

#### **3.9.1 AFFECTED ENVIRONMENT**

For the affected environment (existing condition), the U.S. Environmental Protection Agency (EPA) has conformity designations for the areas where the five LPOEs exist as shown in various tables in Appendix D. These tables identify the attainment, nonattainment, maintenance, or other designations for the criteria pollutants under the National Ambient Air Quality Standards (NAAQS). Currently, Nogales East and Mariposa – Nogales West LPOEs are in areas designated as being in moderate nonattainment for the PM<sub>10</sub> standard. The Alexandria Bay/Thousand Islands LPOE is in an area designated as being in marginal nonattainment for the 1-hour Ozone standard and is also designated as being in Subpart 2 moderate nonattainment for the 8-hour Ozone standard. The remaining two LPOEs (Pacific Highway – Blaine, and Peace Arch – Blaine) and NAAQS criteria pollutants are either in attainment or not applicable at this time.

#### **3.9.2 ENVIRONMENTAL CONSEQUENCES**

Overall, none of the highly conservative and comprehensive worst-case condition scenarios predicted significant impacts for any pollutant. Thus, the Preferred Alternative will not result in any significant impact for any regulated air pollutant. Details of these conditions are discussed in Appendix D. Data, tables, and figures for regional pollution burdens and/or project level conditions are also included in Appendix D.

As discussed in Appendix D, the predicted results of these highly conservative worst-case conditions are beyond the parameters of the Increment 2C POC. The analyses demonstrated that none of the conforming and approved budgets (as applicable) were exceeded as a result of the US-VISIT actions (even for the highly conservative worst-case condition). For areas with no federal actions requiring budgets, the changes in the predicted conservative worst-case scenarios with US-VISIT actions were almost nonexistent (i.e., none of the NAAQS criteria pollutants had impacts).

Since the Preferred Alternative is not expected to increase wait times, there should be no change in the regional or project level emissions. Thus, it is highly unlikely that implementation of Preferred Alternative will result in NAAQS impacts. Therefore, no mitigation or further action is warranted.

### **3.10 NOISE**

Potential noise impacts as a result of implementation of the Preferred Alternative at the five LPOEs were evaluated through the collection and evaluation of available data (including on-site field surveys, LPOE photos, aerial photos, and county population statistics) and by performing a generalized analysis of likely conditions to occur as a result of a US-VISIT undertaking for Increment 2C. Appendix E includes details of the analyses and relevant data summarized below.

Many variables affect the total sound level environment such as normal neighborhood background noise, distance from source to receiver, temporal (duration of noise), time of day, distance between the source and noise receptor, vehicle speeds, number of vehicles, fleet mix, intervening terrain, buildings, trees, and the age and condition of the vehicles. For purposes of this analysis, conservative worst-case variable conditions were assumed.

#### **3.10.1 AFFECTED ENVIRONMENT**

The following information was also considered to further define the affected environment, including field interviews with LPOE personnel about past noise issues, the type of noise sensitive receptor land use



(residences, churches, schools, parks, for example), the diurnal (seasonal) changes in traffic as described by the LPOE personnel, the seasonal use (including holidays) of certain land use types (for example, northern border parks were not expected to be occupied in the winter), the current maximum peak hour traffic volumes specific to the LPOE, and other odd events as reported by LPOE personnel.

Common outdoor and indoor sound levels are depicted in Appendix E. Specific to the Nogales East LPOE, the sound level contributions from unshielded LPOE traffic activities during the maximum peak hour traffic volumes was estimated to be approximately 46 dBA at the nearest noise sensitive receptor. When factoring in the building shielding, the LPOE noise contributions should not typically be noticeable to the people who live there.

There are no noise-sensitive land uses adjacent to the Mariposa – Nogales West LPOE. Arizona Department of Transportation (ADOT) has an impact approach criteria of 64 dBA for exterior noise receptors at residences, churches, schools, and parks (Appendix E). The predicted LPOE sound level contributions as a result of the Preferred Alternative are well below the ADOT criteria.

For the Alexandria Bay/Thousand Islands LPOE, the sound level contributions from unshielded LPOE traffic activities during the maximum peak hour traffic volumes was estimated to be approximately 50 dBA at the nearest noise-sensitive receptor. Factoring in the shielding provided by the intervening mixed forest area, the LPOE noise contributions typically should not be noticeable to the people who live there. New York State DOT (NYDOT) has an impact approach criteria of 66 dBA for exterior noise receptor at residences, churches, schools, and parks (Appendix E). The predicted LPOE sound level contributions as a result of the Preferred Alternative are well below the NYDOT criteria.

Washington State DOT (WSDOT) has an impact approach criteria of 66 dBA contour (Appendix E). Specific to the Pacific Highway – Blaine LPOE, on the eastern side of the access road, there are two residences that may meet the criteria that have driveway access from 14th Street between C and D Streets. These residences may also have some noise contribution from the abutting truck idling pad. Though these sites also have some tree shielding between the homes and the road, it is not as dense or as long as the trees on the west side.

Specific to the Peace Arch – Blaine LPOE, virtually all of the traffic volume at this LPOE is passenger vehicles. The Peace Arch State Park property may already meet the WSDOT criteria, but would still be at least 200 feet from the building areas and at least 400 feet from the Peace Arch monument.

### **3.10.2 ENVIRONMENTAL CONSEQUENCES**

Appendix E provides a guide to common outdoor and indoor noise levels and a depiction of typical people perceptions to changes in sound. A typical person first perceives a change in the sound level environment with a 3 dBA $\pm$  variation, becomes aware of a noticeable change at 5 dBA  $\pm$ , and senses a doubling or halving at 10 dBA $\pm$ . The Preferred Alternative is to be implemented without causing additional delays in the primary inspection process. As a result, the vehicle operating characteristics will not change, which results in no sound level changes at sensitive noise receptors near the LPOEs. Therefore, no mitigation is proposed and further action is not warranted as a result of implementing the Preferred Alternative.

### **3.11 NATIONAL/STATE/LOCAL FORESTS/PARKS**

National/state/local forests/parks were researched both by examination of published maps, and individual state gazetteers and through LPOE site visits. These resources were verified or eliminated as a potential concern based on their proximity to the LPOE.

#### **3.11.1 AFFECTED ENVIRONMENT**

There are only two resources adjacent to, or in the vicinity of the five LPOEs. The two resources are associated with the Nogales East and Peace Arch – Blaine LPOE facilities. For Nogales East, the LPOE is located in the vicinity of Coronado National Forest, however the LPOE facility is surrounded by dense

commercial and residential environs. Coronado National Forest offers a wide variety of recreational opportunities year-round. The only other resources in the vicinity of the Nogales East LPOE are small local parks. These local parks are not adjacent to the LPOE and will not be impacted by the Preferred Alternative.

The other resource, Peace Arch State Park (and Park Ranger Station) lies immediately northwest of the Peace Arch – Blaine LPOE facility on the border between the U.S. and Canada. Peace Arch State Park was dedicated in 1921 and commemorates the lasting peace between the two countries. The park consists of various monuments, a small gazebo, picnic tables, a playground area, and the “kitchen” which is a community center that can be rented out. Vegetation consist of many large cherry trees, smaller ornamental cherry trees, blue spruce, Douglas fir, large oaks, large poplar trees, and various shrubs. However, the majority of the park is dominated by mowed grass.

### **3.11.2 ENVIRONMENTAL CONSEQUENCES**

The only resource of concern includes Peace Arch State Park, which is adjacent to the Peace Arch – Blaine LPOE facility. Due to the proximity of the LPOE to Peace Arch State Park, all efforts will be made to utilize existing infrastructure on which to install the POC equipment in an attempt to minimize visual intrusions on the park. US-VISIT will use an adaptive management approach to provide for ongoing monitoring and potential mitigation of unanticipated impacts. Based on this approach and the utilization of existing infrastructure on which to install the POC equipment, it is anticipated that the Preferred Alternative will not impact this resource.

### **3.12 WATER RESOURCES**

For surface water resources, agency correspondence of listings of stocked surface waters and high quality waters were obtained through state agency coordination and state agency websites (when available). Following the collection of this background information, an LPOE site visit was conducted which focused on identifying surface water resources (i.e., streams [intermittent, ephemeral, and perennial], seeps, and impoundments/lakes) within the LPOE and adjacent areas. Identified surface water resources were qualitatively evaluated for both water quality and aquatic habitat.

Groundwater resources were evaluated prior to LPOE site visits by reviewing applicable groundwater information for the LPOE area. During the site visit, the field team investigated groundwater through interviews with LPOE representatives and observation of well locations.

Potential wetland areas within the LPOE and adjacent areas were evaluated prior to the LPOE site visit utilizing aerial photographs, floodplain mapping, and National Wetland Inventory (NWI) mapping. A wetland reconnaissance was then conducted by environmental scientists trained in wetland identification and delineation procedures (Environmental Laboratory, 1987) to identify wetland areas within the LPOE and adjacent areas.

Rivers listed as Wild and Scenic and rivers under study for designation to the National Wild and Scenic Rivers System were reviewed (<http://www.nps.gov/rivers/wsract.html>). In addition to the federal list, thirty-three states have river protection programs modeled on the national Wild and Scenic Rivers System (<http://www.amrivers.org/wildscenic toolkit/stateprograms.htm>). There are no rivers listed as Wild and Scenic or rivers under study for designation to the National Wild and Scenic Rivers System in the vicinity of the five LPOEs.

#### **3.12.1 AFFECTED ENVIRONMENT**

For the Nogales East LPOE, there are no surface water resources (including wetlands) within or adjacent to the LPOE.

The Mariposa – Nogales West, LPOE is located on a small plateau surrounded on three sides by ephemeral dry washes which are the only surface water features within and adjacent to the LPOE. The drainages are dry except during times of heavy rainfall and eventually flow into Los Canoas. Los Canoas is a tributary to the

Nogales Wash, which eventually flows into the Santa Cruz River. The dry washes do not appear to support fish populations, but do support riparian habitat of cottonwood and larger oak trees (over 20 feet tall), shrubs (acacia), and a variety of forbs. These areas also are used as travel ways for wildlife; however, the banks are disturbed by vehicle and foot traffic.

The Alexandria Bay/Thousand Islands LPOE is located in the vicinity of the St. Lawrence River. The river is located to the northeast of the LPOE, well beyond (+1000-feet) the property boundary of the existing LPOE facility. There are also two palustrine emergent (PEM) wetlands within the vicinity of the LPOE and are hydrologically connected to the St. Lawrence River, which will not be impacted by the Preferred Alternative.

The Pacific Highway – Blaine LPOE includes stormwater crossings that generally flow southwest off the LPOE facility and collect in detention basins which discharge into roadside ditches. There is only one stormwater detention basin located along the western edge of the LPOE property boundary outside the limits of the Preferred Alternative. There are also seven wetlands within, adjacent to, and in the vicinity of the LPOE facility. The wetlands are small, isolated, wetland systems located within residential areas and gullies. All of the wetlands are considered palustrine scrub-shrub (PSS) wetlands. However, none of the wetlands are located within the limits of the Proposed Action.

For the Peace Arch – Blaine LPOE, the only surface water resource in the vicinity of the LPOE is Semiahmoo Bay, which is immediately west of a railroad corridor that abuts the LPOE facility and Interstate 5 (I-5). Semiahmoo Bay includes an extensive estuary, tidal flats, and pools at low tide. The bay/estuary is a dominant feature and provides suitable habitat for a host of aquatic and terrestrial organisms. Although no surface water features were observed other than Semiahmoo Bay, the LPOE is located within the state's coastal zone as well as the City of Blaine's designated shoreline. However, since the Preferred Alternative will not result in impacts to the natural environment (aside from minor and temporary construction impacts to existing LPOE infrastructure), there will be no impact on the coastal zone or Semiahmoo Bay.

### **3.12.2 ENVIRONMENTAL CONSEQUENCES**

The Preferred Alternative will not result in impacts to surface resources based on the limited nature of the undertaking (i.e., requiring only minor and temporary construction impacts to existing LPOE infrastructure). In addition, there are no rivers listed as Wild and Scenic or rivers under study for designation to the National Wild and Scenic Rivers System within, adjacent to, or in the vicinity of the five LPOEs.

## **3.13 VEGETATION AND WILDLIFE**

The assessment of vegetation and wildlife within and adjacent to each of the five LPOEs included both a qualitative office-level pre-site reconnaissance and site validation of the LPOE and adjacent areas with respect to the land use/land cover and the relative quality of terrestrial habitat. This information was also used in evaluating the suitability of habitat for threatened and endangered species within, adjacent to, and in the vicinity of each LPOE. In addition, national/state wildlife refuge/wildlife conservation areas were previously researched by examining published maps, and individual state gazetteers. These resources were verified or eliminated as a concern based on the site reconnaissance to the LPOE and adjacent areas.

### **3.13.1 AFFECTED ENVIRONMENT**

The Nogales East LPOE is located in the central south portion of the Gila/Salt/Verde Rivers ecosystem (USFWS, 2003) and the Madrean Archipelago ecoregion (EPA, 2003). Vegetation in the vicinity of the LPOE is primarily limited to ornamental landscaping and residential gardens. Most of the land cover is typically urban with a few small local parks. The undeveloped area to the east is mostly scrub/shrub with grasses and forbs. Many of the grasses and forbs are exotic species. Observed wildlife included typical species capable of living in an urban area, such as house sparrows, pigeons, and a variety of rodents. There are no national/state wildlife refuge/wildlife conservation areas (or similar designations) within, adjacent to, or in the vicinity of the LPOE.

The Mariposa – Nogales West LPOE is also located in the central south portion of the Gila/Salt/Verde Rivers ecosystem (USFWS, 2003) and the Madrean Archipelago ecoregion (EPA, 2003). The LPOE and adjacent areas contain several different vegetative communities: oak/grassland hillsides, riparian woodland forest, and scrub/shrub areas. There are transition areas between each of these vegetative communities as slope and aspect change throughout the area. Observed wildlife included the Norway rat (*Rattus norvegicus*), mice (*Chaetodipus spp.*), finches (*Carpodacus spp.*), pigeons (*Columba livia*), house sparrows (*Passer domesticus*), and ravens (*Corvus corax*). There are no national/state wildlife refuge/wildlife conservation areas (or similar designations) within, adjacent to, or in the vicinity of the LPOE.

The Alexandria Bay/Thousand Islands LPOE is located in the Great Lakes ecosystem (USFWS, 2003) and the Eastern Great Lakes and Hudson Lowlands ecoregion (EPA, 2003). Vegetation includes mixed pitch pine-oak forest. The area adjacent to the LPOE has sparse vegetation due to the fact that the site was blasted from rock and is composed of a large cut. There are no national/state wildlife refuge/wildlife conservation areas (or similar designations) within, adjacent to, or in the vicinity of the LPOE.

The Pacific Highway – Blaine LPOE is located in the northernmost portion of the North Pacific Coast Ecosystem (USFWS, 2003) and the Puget Lowland ecoregion (EPA, 2003). Vegetation within and adjacent to the LPOE is dominated by ornamentals interspersed with pockets of native species such as western red cedar (*Thuja plicata*) and Douglas fir (*Pseudotsuga menziesii*), as well as bitter cherry (*Prunus emarginata*) and big-leaf maple (*Acer macrophyllum*). There were no obvious signs of terrestrial wildlife, most likely due to the disturbed nature of the area and residential setting. Areas adjacent to the LPOE are suitable for wildlife that can adapt to human disturbance. Drainage ditches and isolated wetlands provide dispersal paths that are utilized by resident wildlife and transient species. Field observation of birds included Canada geese (*Branta canadensis*), black-capped chickadees (*Parus atricapillus*), American crows (*Corvus brachyrhynchos*), ring-billed gulls (*Larus delawarensis*), and heerman gulls (*Larus heermanni*). There are no national/state wildlife refuge/wildlife conservation areas (or similar designations) within, adjacent to, or in the vicinity of the LPOE.

The Peace Arch – Blaine LPOE is located in the northernmost portion of the North Pacific Coast Ecosystem (USFWS, 2003) and the Puget Lowland ecoregion (EPA, 2003). All vegetation located within the LPOE was ornamental, and included cherry trees (*Prunus spp.*), rhododendrons (*Rhododendron spp.*), laurels (*Kalmia spp.*), other shrubs, and rye grass (*Lolium perenne*). Vegetation within the adjacent Peace Arch State Park consisted of douglas fir, poplar (*Populus spp.*), shore pine (*Pinus contorta*), rhododendron, ornamental cherry, blue spruce (*Picea sitchensis*), big-leaf maple, and cedar, as well as shrubs and grasses. There were no obvious signs of terrestrial wildlife, nor valuable habitat due to the highly disturbed nature and minimal canopy structure for foraging, breeding, and escaping. Some birds were observed, and included Canada geese, black-capped chickadees, American crows, ring-billed gulls, heerman gulls, various wintering ducks, and swallows beneath the inspection stalls. The bay area provides suitable habitat for foraging shorebirds and other avian aquatic specialists, but high quality nesting or breeding habitat is poor due to the lack of canopy structure and constant traffic and railroad disturbances. There are no national/state wildlife refuge/wildlife conservation areas (or similar designations) within, adjacent to, or in the vicinity of the LPOE.

### 3.13.2 ENVIRONMENTAL CONSEQUENCES

Because the Preferred Alternative will not require acquisition of land or disturbance of natural habitat, and the fact that none of the LPOEs are within national/state wildlife refuge/wildlife conservation areas, there will be no impacts to these resources.

### 3.14 FLOODWAYS AND FLOODPLAINS

Executive Order 11988 (Floodplain Management), seeks to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.

Officially designated floodplains and floodways were reviewed based on mapping provided by the National Flood Insurance Program. This program was established by the Federal Emergency Management Agency (FEMA) and is administered and enforced through local governments. FEMA produces Flood Boundary and Floodway Maps (FBFMs) which delineate the floodplains and floodways based on detailed hydraulic studies. Flood Insurance Rate Maps (FIRM) produced by FEMA are based on the same hydraulic studies as FBFMs, but provide flood rate zones and estimated flood elevations.

The Water Resources Council (WRC) issued Floodplain Management Guidelines for implementing Executive Order 11988. These guidelines provide a section-by-section analysis of the Executive Order, definition of key terms, and an eight-step decision-making process for carrying out the Executive Order's directives. The process contained in the WRC guidelines incorporates the basic requirements of Executive Order 11988, they include:

- Determine if a proposed action is in the base floodplain.
- Provide for public review.
- Identify and evaluate practicable alternatives to locating in the base floodplain.
- Identify the impacts of the proposed action.
- Minimize threats to life and property and to natural and beneficial floodplain values.
- Restore and preserve natural and beneficial floodplain values.
- Reevaluate alternatives.
- Issue findings and a public explanation.
- Implement the action.

Following review of available mapping (FIRM and Q3 [where available]), LPOE site visits were conducted to validate the mapping and assess if the LPOE was subject to problematic flood events through field observation and interviews with LPOE officials.

#### 3.14.1 AFFECTED ENVIRONMENT

##### *3.14.1.1 Nogales East, Arizona*

Based on review of FEMA Q3 mapping, the LPOE is located on the border of Zones A and X500. Areas adjacent to the LPOE are partially within Zone A, Zone X500, and Zone X. Zone A is an area inundated by 100-year flooding with velocity hazard (wave action) and undetermined base flood elevations (BFEs). Zone X500 is defined as an area inundated by 500-year flooding, an area inundated by 100-year flooding with average depths of less than 1 foot or with drainage areas less than 1 square mile, or an area protected by levees from 100-year flooding. Zone X is defined as an area that is determined to be outside the 100- and 500-year floodplains.

During the LPOE site visit, there was flood debris in the dry wash south of the LPOE, but the facility is above the floodplain of the surrounding area. There is no evidence of any stormwater or flood problems at the facility. There are local erosion areas on the south, southeast, and northeast slopes in the vicinity of the LPOE.

### ***3.14.1.2 Mariposa – Nogales West, Arizona***

Based on review of FEMA Q3 mapping, the LPOE is located in Zone X, and areas in the vicinity of the LPOE are in Zone A and Zone X500. Zone X is defined as an area that is determined to be outside the 100- and 500-year floodplains. Zone A is an area inundated by 100-year flooding with velocity hazard (wave actions) and undetermined BFEs. Zone X500 is defined as an area inundated by 500-year flooding, an area inundated by 100-year flooding with average depths of less than 1 foot or with drainage areas less than 1 square mile, or, an area protected by levees from 100-year flooding. During the site visit, there was flood debris in the dry wash south of the LPOE, but the facility is above the floodplain of the surrounding area. There is no evidence of any stormwater or flood problems at the facility. There are local erosion areas on the south, southeast and northeast slopes in the vicinity of the LPOE.

### ***3.14.1.3 Alexandria Bay/Thousand Islands, New York***

Based on review of FIRM mapping (Town of Orleans, Jefferson County, NY; FIRM Community Panel Number: 360345 0001B), the LPOE is within Zone C. Areas adjacent to the LPOE are mostly within Zone C, with portions lying within Zone A1 (Lake of the Isles). Zone C is defined as an area of minimal flooding, and Zone A1 is an area inundated by 100-year flooding, with BFEs and flood hazards determined. During the LPOE site visit, no evidence of flooding was observed.

### ***3.14.1.4 Pacific Highway - Blaine, Washington***

Based on review of FIRM mapping (City of Blaine, Whatcom County, WA; FIRM Community Panel Number: 530273 0005A), the LPOE and adjacent areas are located in Zone C. Zone C is defined as an area of minimal flooding. During the LPOE site visit, no evidence of flooding was observed.

### ***3.14.1.5 Peace Arch - Blaine, Washington***

Based on review of FIRM mapping (City of Blaine, Whatcom County, WA; FIRM Community Panel Number: 530273 0005A), the LPOE is located in Zone C. Areas adjacent to the LPOE are also located within Zone C except the portion within Drayton Harbor which is in Zone A1. Zone C is defined as an area of minimal flooding. Zone A1 is defined as an area of 100-year flood, with BFEs and flood hazard factors determined. During the LPOE site visit, no evidence of flooding was observed.

## **3.14.2 ENVIRONMENTAL CONSEQUENCES**

It is highly unlikely that the Preferred Alternative will impact (directly or indirectly) any designated floodway or floodplain based on the limited nature of the undertaking which will require only minor and temporary construction impacts to existing LPOE infrastructure.

## **3.15 THREATENED AND ENDANGERED SPECIES**

The Endangered Species Act (ESA) of 1973 (16 USC 1531 et seq.) declared the intention of Congress to conserve threatened and endangered species and the ecosystems on which those species depend. The ESA provides that federal agencies utilize their authority by carrying out programs for the conservation of endangered or threatened species. The United States Fish and Wildlife Service (USFWS) is the primary environmental regulatory agency responsible for enforcing the ESA. Section 7 of the ESA provides guidelines for federal agencies to consult with the USFWS concerning threatened or endangered species and habitat deemed critical for the species' continued existence (i.e., critical habitat). Following these guidelines, the USFWS was asked to provide any known or possible occurrence of threatened or endangered species, or critical habitat in each of the five LPOE county/regions.

In addition to federally listed threatened and endangered species, state and local species were also considered. Data concerning state and local species were gathered by contacting each state's Natural Heritage Program. Each state's Natural Heritage Program is linked to the Natural Heritage Network. The Natural Heritage Network comprises 85 independent centers for the collection of data about the plants,

animals, and ecological communities of the Western Hemisphere. These Natural Heritage Programs are found in all of the 50 states, 10 Canadian provinces, and 12 countries and territories of Latin America and the Caribbean, where they are called Conservation Data Centers. Most U.S. Natural Heritage Programs are state government agencies; others are housed in universities or within field offices of The Nature Conservancy.

### **3.15.1 AFFECTED ENVIRONMENT**

Once data were gathered through various levels of agency coordination for known occurrences and potential occurrences of both federally and state listed rare, threatened, and endangered species, qualitative LPOE site surveys were conducted to determine the possibility of potentially affecting these species based on known locations and the suitability of existing habitat (based on a species life-history and/or recovery plans) within, adjacent to, and in the vicinity of the LPOE facility. A finding of "no effect" was determined for those cases in which no known occurrences or potential occurrences were cited by the USFWS, Natural Heritage Program, or state governments. Prior to the qualitative LPOE site assessments, additional information concerning a species suitable habitat and range were researched. This information was primarily compiled through review of species recovery plans and internet fact sheets provided by the USFWS, state governments, or independent researchers. This information was then used to assess habitat suitability (for specific species) during the LPOE site visit by experienced environmental scientists.

### **3.15.2 ENVIRONMENTAL CONSEQUENCES**

Based on the analyses described above, US-VISIT has concluded that the Preferred Alternative will not impact any critical habitat or result in the potential for an incidental take of a protected species. This is due to the fact that the Preferred Alternative will require only minor and temporary construction impacts to existing LPOE infrastructure. The Preferred Alternative will not require the acquisition of land or the disturbance of natural habitat.

### **3.16 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION**

The Preferred Alternative includes a passive RFID technology using higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit. A possible configuration for inbound lanes could include two steel light poles or an overhead gantry fixed approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. For outbound lanes, an overhead gantry will be constructed in lieu of steel light poles. The light poles/gantries, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas will include those directed inward toward the vehicles (which is referred to as the side-fire position) and/or overhead antennas where necessary.

US-VISIT has assessed the Preferred Alternative and its potential for impacting port operations that, in a measurable way, would impact the human environment (i.e., natural and physical environmental resources) as well as impacts to legitimate trade, travel, and commerce. Activities associated with the construction of the steel light poles/gantries and appurtenances will occur wholly within areas of each LPOE facility that have been previously disturbed. US-VISIT does not intend to purchase any additional land or increase the footprint of the existing LPOEs and will be coordinating with landowners to obtain rights of way in order to install the necessary equipment on outbound lanes. In all cases however, the Preferred Alternative will not require the disturbance of natural or physical resources within or adjacent to each LPOE. Thus, construction and maintenance activities associated with the Preferred Alternative are considered temporary and minor as they relate to context and intensity of impact respectively. Operationally, it is the intention of US-VISIT to deploy the Preferred Alternative in such a manner as to not increase current wait times upon entry, not degrade baseline level of service (LOS) for free-flow exit lanes, and not significantly degrade LPOE traffic patterns.

With respect to human health, the implementation of the Proposed Action will occur under FCC Part 90 and Part 15 Radio Licenses (depending on power requirement). US-VISIT has determined that potential RF exposures to the CBP Officers and the general public as a result of this Proposed Action are well below the FCC guidelines following the guidance provided in FCC's OET Bulletin 65. All calculations for exposure levels per FCC OET Bulletin 65 were well within the guidelines established by FCC; therefore, there is no potential for human health impacts.

Because the Preferred Alternative is expected to not result in direct physical impacts or adversely impact existing LPOE operations, it is anticipated that there will be no significant adverse impacts to the environment, travelers, or local border communities at each of the five LPOEs. Based on the lack of potential impacts, US-VISIT determined that the construction, installation, and maintenance necessary in implementing the Preferred Alternative will have no impact on land use patterns; local or regional plans; zoning; residential, commercial, or community services; children, low-income, or minority populations; socioeconomics as they relate to border communities and travelers; air, noise, vegetation or wildlife; waters of the U.S.; threatened or endangered species; floodways or floodplains; or hazardous waste sites.

It is anticipated that implementation of the Preferred Alternative will require minor modifications (e.g., installation of antennas, conduit, and ancillary components) to LPOE infrastructure which may result in temporary impacts during the time of installation. Potential temporary impacts as a result of implementing the Preferred Alternative are discussed in the following section.

### **3.16.1 MITIGATION**

As part of US-VISIT's environmental planning approach, analysis of variables that could increase current wait times upon entry, degrade baseline level of service (LOS) for free-flow exit lanes, or significantly degrade LPOE traffic patterns, were evaluated. Through this process, US-VISIT has identified the following actions in order to minimize potential impacts to the traveling public and LPOE operations:

- Temporary construction activities will be conducted in a manner to minimize potential impacts. This will be achieved during the POC through selective lane closings during construction, construction during non-peak or closed hours, and no alteration of traffic flows or speed limits.
- All entry and exit lanes will be RFID enabled to prevent changes in traffic flow (no dedicated lanes).
- Vehicular traffic will not be stopped on exit as part of the Increment 2C POC.
- Current speed limits will not be changed for exiting vehicles.
- No traffic attenuation or speed modification devices will be used (e.g., speed bumps).
- Ongoing public outreach will educate travelers on the new processing requirements at each of the five LPOEs.
- Appropriate signage will be installed to aid in-scope travelers on the new procedures.
- Ensure consistent appearance between LPOEs so all signage/postings/RFID configurations are similar.
- Coordinate other LPOE maintenance/repair operations with the POC implementation.
- Implementation of an adaptive management process.

The Preferred Alternative will not result in a change in the vehicle mix, the number of in-scope travelers processed, or the number of monthly crossings processed at each of the five LPOEs. The Preferred Alternative will not impact current traffic volumes nor the physical capacity of a LPOE to process vehicles or pedestrians. Although it is anticipated that the Preferred Alternative will not impact traffic operations, an adaptive management approach will be utilized to provide for ongoing monitoring and potential mitigation of unanticipated impacts.



At this time, unanticipated temporary impacts can be mitigated or minimized at each of the five LPOEs by addressing the measures (as described in the bullets above) and by temporarily modifying LPOE traffic operations during time of POC equipment installation. Because the five LPOEs very rarely have all lanes operational at any given time, planned installation activities can be timed so as to not impede baseline traffic flow through the LPOE facilities. Other modifications can include strategic opening (and closing) of entry and exit lanes and performing installation activities at night or during low volume border crossing periods. If even with mitigation, US-VISIT determines that unanticipated impacts are unacceptable, the POC may be discontinued.

One of the objectives of this POC is to gather information for the future assessment of a full-scale, fully functional implementation at a larger number of LPOEs. Should significant impacts be identified during the Phase I testing period, it is US-VISIT's intent to not proceed with Phase II pending further analysis. Any potential for unanticipated impacts based on this POC will be carefully evaluated prior to that implementation. Following the Increment 2C POC, US-VISIT will evaluate lessons learned, and assess potential short-term and long-term solutions resulting from the POC. This information will then be assessed and evaluated for inclusion into strategies for future increments, as a result of the changes associated with implementing Increment 2C.

As part of the adaptive management process, US-VISIT will perform time studies and document the standard operating procedures for the current primary inspection process on inbound operations (noncommercial vehicle, pedestrian, and buses); perform time studies and document on videotape current operations and traffic flow for all outbound noncommercial vehicle and pedestrian traffic; and, through observations and interviews, update the existing baseline BorderWizard data set for each of the five LPOEs and validate simulation model results.

During Phases I and II of the Increment 2C POC 90-day test and immediately thereafter, US-VISIT will monitor potential impacts to traffic by performing time studies and documenting the standard operating procedures for the primary and secondary inspection process on inbound operations (noncommercial vehicle, pedestrian, and buses); performing time studies and documenting (on videotape) post implementation 2C operations and traffic flow for all outbound noncommercial vehicle and pedestrian traffic; utilizing BorderWizard to analyze the potential impact of the Increment 2C POC on traffic operations; and monitoring and identifying potential increases or decreases in traffic operations.

The only class of resources requiring additional agency consultation and coordination is the consideration of cultural resources and compliance with Section 106 of the National Historic Preservation Act (NHPA). Historic properties are present at two LPOEs. The Customs building at the Nogales East LPOE, the neighborhood adjacent to the Nogales East LPOE, and the Peace Arch adjacent to the Peace Arch - Blaine LPOE, are listed on the NRHP.

For the Nogales East LPOE, the overhead gantry to be installed will extend from an existing structure in the median between the inbound and outbound lanes, across the outbound roadway. The gantry will be in an area that is surrounded by the existing LPOE, security, and safety equipment. The view from the Federal building will be similar to the current view in that there is a large new building behind the gantry. This building has already impacted the integrity of the view from the Federal building. Thus the visible elements of the current installation will not impact the integrity of the eligible and listed structures in the surrounding area. Therefore, implementation of the Preferred Alternative will have no adverse effect to historic properties at this LPOE.

The Peace Arch and the land that it resides on are adjacent to the Peace Arch - Blaine LPOE and are listed on both the National and State Registers of Historic Places. The overhead gantry to be installed is the standard Washington State Department of Transportation (WSDOT) design and will match a similar overhead gantry

that is located to the south of the LPOE. The visible elements of the installation will not impact the integrity of the historic structure. Since no historic properties were identified at the LPOE, and the Preferred Alternative will not adversely affect the integrity of the Peace Arch or the land it resides on, the Preferred Alternative will have no adverse effect to historic properties at this LPOE.

No other historic properties were identified at the five LPOEs. Since the Preferred Alternative will have no impact to the integrity of the historic properties, consultation letters have been sent to the New York, Arizona, and Washington State Historic Preservation Officers (SHPOs), and relevant Native American Tribes concluding that implementation of the Preferred Alternative will have no adverse effect to historic resources. In the event that any consulting party disagrees with this determination, US-VISIT will work in coordination with the consulting party to resolve or address their concerns.

### **3.16.2 CUMULATIVE IMPACTS**

Based on the above considerations, US-VISIT has concluded that the Preferred Alternative will not result in incremental impacts such that there would be a condition whereby individually minor but collectively significant impacts would result in a measurable impact at the five LPOEs, their immediate vicinity, regionally, or nationally. In fact, implementation of the Preferred Alternative may result in reducing wait times upon vehicle and pedestrian entry, which would result in beneficial impacts to the surrounding border communities, environment, travelers, and legitimate trade and commerce.

US-VISIT also considered other past, present, and reasonably foreseeable Federal actions within, adjacent to, or in the vicinity of the five LPOEs. Reasonably foreseeable actions were identified through coordination with other federal and state agencies and review of state DOT websites.

At this time, there are no foreseeable actions planned for both the Nogales East and Mariposa – Nogales West LPOE facilities. However, there are a number of local road improvement projects within the vicinity of both LPOEs.

For the Alexandria Bay/Thousand Islands LPOE, GSA is proposing a facility-wide modernization and expansion of the existing LPOE. GSA is planning to prepare an environmental assessment (EA) for the Proposed Action. At this time, the project scope includes acquiring an additional 50 acres of land to construct new offices, a warehouse, canopied space, two primary commercial inspection lanes, a secondary commercial inspection building, expansion of commercial queuing areas, an additional commercial primary inspection booth, a new bus passenger and passenger vehicle inspection lane, and a veterinary services building. The project also includes expansion of the commercial parking area and a new circulation pattern through the facility in order to reduce backup of commercial vehicles from Canada awaiting inspection.

For the Pacific Highway – Blaine LPOE, GSA is proposing various minor improvements to existing LPOE buildings. Within and adjacent to the LPOE, there are two road construction projects nearing completion and are associated with improving State Route 543. WSDOT is also proposing to widen State Route 543 from Boblett Street to the Canadian Border. A new signal will be installed at Boblett Street and a new interchange will be built at D Street. This project will reduce congestion and improve safety on State Route 543 between Interstate 5 and the Canadian Border. Car and truck traffic will be separated just north of D Street, which will eliminate current conflicts and congestion. WSDOT is currently acquiring real estate needed to widen and enhance the highway and construction is projected to begin in the summer of 2005.

For the Peace Arch – Blaine LPOE, GSA and the Federal Inspection Service (FIS) is proposing to replace the existing LPOE. The project has been submitted to Congress for authorization and funding for site acquisition and design. However, GSA has acknowledged that as US-VISIT and Counter-Terrorism efforts are defined, project requirements may change. GSA continues to partner with WSDOT, the Federal Highway Administration (FHWA) and the City of Blaine on options for making the needed highway improvements. The

final NEPA study will be based on the Program Development Study and an Access Point Decision Report (APDR) being conducted by the City of Blaine.

In summary, US-VISIT has concluded that the Preferred Alternative will not result in incremental impacts such that there would be a condition whereby individually minor but collectively significant impacts would result in a measurable impact at the five LPOEs, their immediate vicinity, regionally, or nationally. In addition, since the installation and maintenance of the POC equipment are considered relatively minor modifications to existing port infrastructure, there will be no incremental cumulative effects when the Increment 2C POC Proposed Action is combined with other foreseeable actions. In fact, implementation of the Preferred Alternative may result in reducing wait times upon vehicle and pedestrian entry, which would result in beneficial impacts to the surrounding border communities, travelers, and legitimate trade and commerce.

### **3.16.3 CONCLUSION**

In accordance with NEPA, this Final EA evaluates the environmental impact on the natural, physical, and social environs as a result of deploying the Preferred Alternative at five LPOEs for the specific purpose of evaluating and validating the selected technological solution for future Increment 2C implementation (i.e., Increment 2C POC). Results of this analysis demonstrate that there will be no significant impacts to the aforementioned resources as a result of the POC. In summary, US-VISIT has determined that the Proposed Action will not result in significant direct, indirect, temporary, or cumulative impacts to the environment.

The Increment 2C POC will be deployed in two phases. Phase I will record entry and exit events of issued a-IDs for vehicle entry at primary inspection. For pedestrian entry, Phase I will also include real-time biographic watch-list checks and display them to the CBP Officer. Phase II will expand this capability at the same POC LPOEs to read an issued a-ID and link this event with license plate and biographical and biometric data that will be displayed to the CBP Officer for vehicle primary inspection.

Following each Phase of the POCs period of performance (anticipated to be two 90-day periods), US-VISIT will evaluate and validate the success of the study through analysis of defined performance metrics. Analysis of these performance metrics will assist in identifying areas for improvement in the overall Increment 2C solution, provide input to the design of the overall Increment 2C solution, and offer initial insight into the benefits available from the implementation of the permanent Increment 2C solution on a national level. The main objective of the Increment 2C POC is the validation of the conceptual solution and, therefore, only performance metrics which are relevant to supporting this objective will be collected during its implementation.

## **4.0 PUBLIC OUTREACH**

### **4.1 FINAL EA AVAILABILITY AND DISTRIBUTION**

US-VISIT will make the Final EA and resulting decision document available. Notice to the public and agencies regarding the Final EA and US-VISIT's subsequent decision is being conducted in the same way as the notice for the Draft EA and the related comment period. Notices on the availability of the Final EA and decision document will be placed in English- and Spanish-language newspapers local to the five LPOEs that are part of this environmental analysis. A notice(s) of availability also will be placed in a national newspaper. Additionally, US-VISIT will e-mail a letter containing the same information to those on the US-VISIT stakeholder e-alert distribution list. The e-alert stakeholder list currently contains over 2,000 email addresses for individuals or representatives of various interests including local, national, and international travel and commerce, immigration, private business, law enforcement, and universities. The e-alert stakeholder list also includes email addresses for a number of elected and government and officials at the local, state, federal, and international levels, and many state DOTs.

The Final EA and the decision document will be made available in hard copy and compact disc (CD) formats at local libraries, as well as on the internet for review or download at [www.us-visitfacility.us](http://www.us-visitfacility.us). In addition, US-VISIT will distribute the Final EA to appropriate elected officials and a number of agencies of jurisdiction (see Section 8.0 - Distribution List). US-VISIT will also distribute the decision document to those on the Final EA distribution list and to anyone else requesting a copy.

Other interested persons may request a copy of the Final EA and/or the decision document by telephone or mail. Please call 1-800-872-5201 to make a request by telephone. When making a request by telephone voicemail, please be prepared to indicate your preference for a) either a paper hard-copy or an electronic (PDF file on CD) version of the Final EA and/or decision document, and, b) English- or Spanish-language version(s).

### **4.2 DRAFT EA DISTRIBUTION AND COMMENT PERIOD**

US-VISIT distributed the Draft EA to a number of interested parties and gave notice of its availability as well. Notice was provided in both English and Spanish in local newspapers and via the DHS e-alert list detailed above. In addition, the Draft EA in its entirety and the Executive Summary were both available for download via the website or for receipt by mail in hard-copy or CD format as requested.

US-VISIT encouraged interested parties to review the Draft EA and to submit comments regarding the analysis it contained. A 30-day comment period ended March 26, 2005. Persons were able to provide comments through the website, by leaving a voicemail at a toll-free number, or by mailing written comments. For all commenting options, persons were able to leave comments in English or Spanish. In this Final EA, US-VISIT is responding to all substantive comments received which address specific analysis in the Draft EA.

### **4.3 COMMENTS AND RESPONSES**

US-VISIT received eight (8) letters commenting on the Draft EA. Appendix F contains those letters and US-VISIT's response to substantive comments raised in the letters. The letters included comments on certain topics including general and specific analysis of certain environmental resource categories; DHS's and US-VISIT's missions, goals, and activities; project information and issues outside of the scope of the proposed action being evaluated; and the application of NEPA. Since distribution of the Draft EA and after consideration of the comments received, US-VISIT has not identified any resource areas requiring additional environmental analysis.

#### 4.4 CHANGES TO THE FINAL EA

The Final EA is an update of the Draft EA based primarily on responses to comments received. The Final EA includes updated and additional clarification where called out in public comments. The following sections of the Final EA contain updated narrative providing additional (no new) information and/or clarification.

- The Executive Summary and Draft EA have been revised (where appropriate) to reflect that the document refers to the Final EA and not the Draft EA. The Final EA has also been revised to address minor grammatical and formatting issues.
- The Executive Summary and Section 1.2, of the Draft EA, have been revised to include “gantries” in addition to steel light poles.
- Footnote 17 has been revised to denote that FAST is currently deployed nationally on a limited basis.
- Footnote 18. The last sentence has been deleted.
- Section 3.3.1.4 (Pacific Highway - Blaine, Washington) has been revised to correct the number of buses (786) that crossed the border during February 2003.
- Section 3.4.2 (Environmental Consequences – Socioeconomics) has been revised to denote the increased cost of National Guard activity to supplement operations by Border Agencies.
- Section 3.6 (Health) has been revised to include additional information on RF exposure ranges and limits to travelers and workers.
- The Executive Summary, Section 3.8.1.5 (Peace Arch - Blaine, Washington – Cultural Resources), and Section 3.16.1 have been revised to clearly identify that only the Peace Arch is listed in the NRHP. In addition, all of the above sections have been revised with additional agency coordination activities since publication of the Draft EA.
- Section 3.8.2 (Environmental Consequences – Cultural Resources) now references Appendix C (Section 106 HPA Coordination Letters).
- Section 3.10.1 (Affected Environment - Noise) has been revised to include holidays.
- Section 3.16.1 (Mitigation) has been revised to denote that consultation letters have been sent to the New York, Arizona, and Washington State Historic Preservation Officers (SHPOs), General Services Administration (GSA), and relevant Native American Tribes that no historic properties are affected by the Preferred Alternative.
- Section 3.16.2 (Cumulative Impacts) has been revised to include additional discussion on the SR 543 road widening project.
- Section 4 (Public Outreach) has been revised to address the Draft EA.
- Section 6 (Commonly Used Acronyms and Glossary of Terms) has been revised to include the definition of Q3 Flood Data.
- Section 8 (Distribution List) has been revised to address minor formatting issues.
- Table 2 has been revised to denote that that the crossings are for U.S. bound vehicles and pedestrians.
- Section 106 coordination/consultation letters have been included in Appendix C of the Final EA.
- Appendix C (Air Quality) and Appendix D (Noise) of the Draft EA have been assigned Appendix D and Appendix E respectively.
- Appendix F has been added to the Final EA, which includes agency and public comments on the Draft EA.

#### 4.5 ADDITIONAL OUTREACH AND CONSULTATION

The DHS and US-VISIT websites, [www.dhs.gov](http://www.dhs.gov) and [www.dhs.gov/us-visit](http://www.dhs.gov/us-visit) respectively, include information on DHS, the US-VISIT Program, and the entry/exit program analyzed in the Final EA. DHS regularly updates the websites.

US-VISIT Office of Outreach Management also conducts regular public meetings and sends regular emails (e-alerts) concerning overall US-VISIT initiatives. If you would like to be added to the e-alert distribution list, please call 202-298-5200 and ask for the Office of Outreach Management.

Additionally, US-VISIT maintains ongoing community and interagency coordination and consultation. US-VISIT has participated in a number of partnership workshops, and has participated in various stakeholder-organized meetings and conferences as well.

The US-VISIT Program has an extensive outreach program to continue ongoing communication with US-VISIT stakeholders in land border communities along the U.S.-Mexico and U.S.-Canada borders. US-VISIT is working closely with the LPOEs and surrounding communities, beginning with the 50 busiest LPOEs. As part of this process, US-VISIT identified major associations and organizations with likely interests in issues pertaining to US-VISIT, including trade and commerce, travel and tourism, immigration and border security, bi-national or regional relations, education and privacy. Through relationships with these larger associations and organizations, US-VISIT continues to identify additional associations, organizations and individuals in the community or region that may have an interest in US-VISIT. US-VISIT also includes in their stakeholder outreach, local elected officials who have provided additional contacts included in the comprehensive list of stakeholders.

Invitation lists to US-VISIT events are compiled based on stakeholders who have been previously identified through the initial outreach strategy. This includes stakeholders who have participated in previous events or who have been suggested to US-VISIT by existing stakeholders. All stakeholders who have been invited to and/or who have attended a US-VISIT event are entered into the US-VISIT stakeholder database and are organized in the database by type of interaction with US-VISIT. For example, a stakeholder who attends a stakeholder briefing in Nogales, would then be identified in the database as having attended that particular event. For many of the US-VISIT events, stakeholders who are invited will also invite their own stakeholders or members. US-VISIT has a formal sign-in process at each event to ensure that each stakeholder is recorded in the database and will be considered for invitations to future events. From September 2004 through March 2005, DHS conducted over 45 land-border meetings. These meetings were conducted at various locations along both the northern and southern borders of the U.S. as well as in Mexico and Canada.

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## 6.0 COMMONLY USED ACRONYMS AND GLOSSARY OF TERMS

<b>a-ID</b>	Automatic Identifier.
<b>ADOT</b>	Arizona Department of Transportation.
<b>APDR</b>	Access Point Decision Report.
<b>APIS</b>	Advance Passenger Information System is an automated system capable of performing database queries on passengers and crewmembers prior to their arrival in or departure from the United States.
<b>AST</b>	Above ground Storage Tank.
<b>ASTM</b>	American Society for Testing and Materials.
<b>AZDEQ</b>	Arizona Department of Environmental Quality.
<b>BFE</b>	Base Flood Elevation.
<b>Biographical Information</b>	In the context of US-VISIT: biographical information of a visitor, such as name and date of birth.
<b>Biometric Information</b>	In the context of US-VISIT: digital inkless finger scan images (two index fingers) and a digital photograph of an in-scope traveler.
<b>BLA</b>	Peace Arch – Blaine, Washington LPOE.
<b>BorderWizard</b>	BorderWizard provides core capabilities for simulating the arrival and processing of commercial vehicle, passenger vehicle, bus, and pedestrian traffic entering the U.S. at a LPOE. The system consists of a database management system, a layout tool, two discrete-event simulation models, a statistical reporting system, and a 2-D animation capability. US-VISIT uses BorderWizard to measure the impact of change in inspection technology and procedures on processing times at the nations POEs. Wait Time output statistics can be readily input into the MOBILE and California emission model to measure environmental impact.
<b>CAA</b>	Clean Air Act (42 U.S.C. § 7401 et seq.)
<b>CERCLIS</b>	Comprehensive Environmental Response, Compensation, and Liability Information System. This database includes all sites nominated for EPA investigation by the Superfund program.
<b>CFR</b>	Code of Federal Regulations.

CO	Carbon Monoxide.
COTS	Commercial Off-The-Shelf Technology.
CBP	U.S. Customs and Border Protection. The unified border agency within the Department of Homeland Security (DHS). CBP combined the inspectional workforces and broad border authorities of U.S. Customs, U.S. Immigration, Animal and Plant Health Inspection Service and the U.S. Border Patrol.
CWA	Clean Water Act.
CZMA	Coastal Zone Management Act.
DHS	Department of Homeland Security. In January of 2003, the United States government established the Department of Homeland Security to focus America's efforts to thwart those who seek to do us harm. The Department has an overriding and urgent mission: secure the American homeland and protect the American people.
DMIA	Data Management Improvement Act of 2000.
DOT	Department of Transportation.
EEBox	Emissions Estimator for Border X-ings [Crossings].
EA	Environmental Assessment. A NEPA compliance document used to determine if an action would have a significant effect on the human environment. An EA is prepared when significant environmental impacts are not anticipated or when there is a question as to the extent of the impacts. If the assessment confirms that the proposed action will have no significant impacts, a Finding of No Significant Impact (FONSI) will be prepared. If there are significant impacts, a more detailed analysis is conducted and findings documented in an Environmental Impact Statement (EIS).
EIRP	Effective Isotropic Radiated Power (EIRP) is the product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna.
EO	Executive Order. Direction from the President of the United States that has the force of law.
EPA	U.S. Environmental Protection Agency.
ERNS	Emergency Response Notification System.

<b>ESA</b>	Endangered Species Act.
<b>FCC</b>	Federal Communications Commission.
<b>FEMA</b>	Federal Emergency Management Agency.
<b>FAST</b>	The Free and Secure Trade (FAST) program provides expedited processing for qualifying commercial participants. FAST participants access dedicated commercial lanes for expedited processing. The system accesses the participant's enrollment record through read of a proximity card. FAST is currently only deployed on a limited basis (at Detroit and Port Huron, Michigan; Buffalo and Champlain, New York; and Blaine, Washington, Laredo, Texas).
<b>FBFM</b>	Flood Boundary and Floodway Maps.
<b>FHWA</b>	Federal Highway Administration.
<b>FINDS</b>	Facility Index System.
<b>FIRM</b>	Flood Insurance Rate Map.
<b>FIS</b>	Federal Inspection Service.
<b>Foreign Nationals</b>	Non-U.S. Citizens.
<b>GSA</b>	General Services Administration.
<b>I-94/I-94W</b>	Unless otherwise exempted, each arriving nonimmigrant that is admitted to the U.S. shall be issued a Form I-94 as evidence of the terms of admission. Eligible applicants seeking admission under the Visa Waiver Program (VWP) are issued a Form I-94W.
<b>ICE</b>	Immigration and Customs Enforcement.
<b>Increment 2B</b>	Increment 2B redesigned the I-94 issuance process to enable the electronic capture of biographic, biometric (unless exempt) and related travel data for arriving non-immigrants (referred to as in-scope travelers in this EA definition of In-Scope Travelers). Increment 2B was deployed to meet the legislative mandate to record alien arrival information at the busiest 50 U.S. land border Ports of Entry (LPOEs) by December 31, 2004.
<b>IIRIRA</b>	Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

<b>In-Scope Travelers</b>	Foreign travelers (also referred to as 'non-immigrant aliens') that are subject to US-VISIT requirements are those who are issued an I-94 or I-94W, Arrival/Departure Record, at the time of admission. Within this Final EA document, these individuals are also referred to as "in-scope" travelers to distinguish them from foreign travelers who are not covered by US-VISIT. These in-scope travelers generally include all foreign nationals with the exception of most Canadians and those Mexicans who are in the country for less than 30 days and are staying within 25-miles of the border (75-miles in Arizona). However, some foreign travelers who are issued I-94 and I-94W Arrival/Departure Records are not subject to (i.e., exempt from) the biometric requirement of US-VISIT. This includes individuals under the age of 14 or over the age of 79. A detailed list of non-immigrant aliens for which the biometric enrollment requirements of the US-VISIT Program do not apply (also referred to as "exempt" travelers) can be found in 8 CFR 235.1(d)(1)(iv)(A)-(D).
<b>Legal Permanent Residents</b>	A Foreign National who has been lawfully accorded the privilege of residing permanently in the U.S. as an immigrant in accordance with applicable U.S. immigration laws.
<b>LOS</b>	The Level of Service metric is used to denote traffic flow conditions. LOS ranges from A (best) to F (fail or congested). Since the entry lanes include a stop and do have some associated wait time currently in some instances, the metric is not used on the entry lanes.
<b>LPOE</b>	A land Port of Entry is the facility on a land border that provides for the controlled entry into or departure from the United States for persons and materials arriving as commercial, noncommercial, pedestrian, or rail traffic.
<b>LRP</b>	Long Range Plan.
<b>LTANKS</b>	Leaking Storage Tanks.
<b>LUST</b>	Leaking Underground Storage Tank.
<b>MRTD</b>	Machine Readable Travel Document. A travel document that contains encoded, machine readable traveler information, such as biographic and biometric data.
<b>MAP</b>	Mariposa – Nogales West, Arizona LPOE.
<b>MOBILE</b>	Mobile Source Emission Factor Model.
<b>MPO</b>	Metropolitan Planning Organization.

<b>NAAQS</b>	National Ambient Air Quality Standards.
<b>NAFTA</b>	North American Free Trade Agreement.
<b>NEPA</b>	The National Environmental Policy Act of 1969. NEPA requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions.
<b>NEXUS</b>	The Canadian Border Dedicated Commuter Lane System (NEXUS) is a project of the Canada-United States Shared Border Accord, designed to facilitate pre-enrolled, low risk, vehicular traffic across the Canadian and United States border. Program participants are provided a NEXUS photo identification card, a proximity card and windshield decals for all vehicles registered in the program. Upon entry, the proximity card is read and the traveler's enrollment record (including photo) is displayed on standalone module located outside of the primary inspection booth. If there are multiple cards in the vehicle, the system displays all of the associated participant photos. NEXUS is currently only deployed on a limited basis (at Blaine, Washington, Detroit and Port Huron, Michigan, Buffalo and Champlain, New York).
<b>NFRAP</b>	No Further Remedial Action Planned.
<b>NHPA</b>	National Historic Preservation Act.
<b>No Action Alternative</b>	The No Action Alternative, if no action is undertaken, provides an environmental baseline against which impacts of the Proposed Action (and alternatives) can be compared.
<b>NOG</b>	Nogales East, Arizona LPOE.
<b>Non-Immigrant Visa Holders</b>	A subset of Foreign Nationals that require a visa to enter the country.
<b>NPL</b>	National Priority List.
<b>NRHP</b>	National Register of Historic Places.
<b>NWI</b>	National Wetlands Inventory.
<b>NYDOT</b>	New York State Department of Transportation.
<b>NYSPILLS</b>	New York Spills Information Database.
<b>OET</b>	Office of Engineering and Technology.
<b>O<sub>3</sub></b>	Ozone.

<b>PAS</b>	Performance Analysis System.
<b>Pedestrian Exit</b>	A LPOE exit lane dedicated to pedestrians.
<b>PEM</b>	Palustrine Emergent Wetland.
<b>Pedestrian Primary</b>	The entry lane, turnstile, and counter area where the initial screening inspection of pedestrians is performed.
<b>Pedestrian Secondary</b>	The area where a more thorough inspection of pedestrians and their belongings is performed.
<b>Phase I ESA</b>	Phase I Environmental Site Assessment.
<b>PIA</b>	Privacy Impact Assessment.
<b>PHY</b>	Pacific Highway – Blaine, Washington LPOE.
<b>POC</b>	Proof of Concept.
<b>POE</b>	Port of Entry. Any location in the United States or its territories that is designated for controlled entry into or departure from the United States for persons or materials. All district and files control offices are also considered ports, since they become locations of entry for aliens adjusting to immigrant status.
<b>Preferred Alternative</b>	An alternative that is found to best meet the stated purpose and need for the Proposed Action.
<b>Primary Inspection</b>	The initial encounter and screening at a POE, either of non commercial (vehicular primary), pedestrians, commercial, or bus traffic.
<b>PSS</b>	Palustrine Scrub/Shrub Wetland.
<b>PM<sub>10</sub></b>	Particulate Matter (with diameters less than 10 μm).
<b>PM<sub>2.5</sub></b>	Particulate Matter (with diameters less than 2.5 μm).
<b>Proposed Action</b>	A proposal made by DHS to authorize, recommend, or implement an action to meet a specific purpose and need.

<b>Q3 Flood Data</b>	<p>Digital Q3 flood data is a representation of certain features of FEMA's Flood Insurance Rate Maps (FIRMs). Digital Q3s are intended for use with desktop mapping and Geographic Information Systems (GIS) technology. The digital Q3 flood data are created by scanning the effective Flood Insurance Rate Map (FIRM) paper maps and digitizing selected features and lines. Usually, FIRMs for the cities and towns within a county are also digitized and combined with the county to produce a countywide map.</p> <p>Digital Q3 flood data is designed to serve FEMA's needs for disaster response activities, National Flood Insurance Program activities, risk assessment, and floodplain management. The data is used for a variety of planning applications including broad-based review for floodplain management, land-use planning, commercial site analysis, insurance target marketing, natural resource/environmental analyses, and real estate development and targeting.</p>
<b>RF</b>	Radio Frequency.
<b>RFID</b>	Radio Frequency Identification. A method of identification unique items using radio waves. Typically, a reader communicates with a tag, which holds digital information in a microchip.
<b>RFID Tag</b>	A microchip attached to an antenna that is packaged in a way that it can be applied to an object. The tag picks up signals from and sends signals to a reader. The tag contains information ranging from serial numbers to more complex data such as detailed parts information.
<b>RCRA</b>	Resource Conservation and Recovery Act.
<b>RCRAGN</b>	Resource Conservation and Recovery Act Generator.
<b>RCRIS</b>	Resource Conservation and Recovery Information System.
<b>RCRIS-SQG</b>	Resource Conservation and Recovery Information System-Small Quantity Generator.
<b>REIS</b>	U.S. Census Bureau and Regional Economic Income Statistics.
<b>Secondary Inspection</b>	A more thorough inspection, often including a search of the person and/or vehicle. Determination for the inspection can be based upon suspicion or simply a random sampling of individuals.
<b>SHPO</b>	State Historic Preservation Office(r).
<b>SIP</b>	State Implementation Plan (developed and administered under the Clean Air Act).

SO <sub>2</sub>	Sulfur Dioxide.
SP	Superfund.
SR	State Route.
STATE	Washington State Environmental Databases.
SWL	Solid Waste Landfill.
THO	Alexandria Bay/Thousand Islands, New York LPOE.
TIP	Transportation Improvement Program.
TNM	Traffic Noise Model.
U.S.	United States.
USA PATRIOT ACT	Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001.
USFWS	U.S. Fish and Wildlife Service.
USGS	U.S. Geological Survey.
UST	Underground Storage Tank.
US-VISIT	United States Visitor and Immigrant Status Indicator Technology. US-VISIT is a top priority for the U.S. Department of Homeland Security because it enhances security for our citizens and visitors while facilitating legitimate travel and trade across our borders. US-VISIT helps to secure our borders, facilitates the entry and exit process, and enhances the integrity of our immigration system while respecting the privacy of our visitors. US-VISIT is part of a continuum of security measures that begins overseas and continues through a visitor's arrival and departure from the United States. It incorporates eligibility determinations made by both the Departments of Homeland Security and State.
VACIS	Vehicle and Container Inspection Systems.
Vehicle Entry	A primary inspection lane dedicated to noncommercial vehicles at LPOEs.
Vehicle Exit	An exit lane dedicated to noncommercial vehicles at LPOEs.
Vehicle Primary	The area that performs the initial screening inspection of Non Commercial vehicles referred from the primary inspection area.



<b>Vehicle Secondary</b>	The area provided to allow for more detailed and thorough inspection of traffic which did not clear the primary inspection area.
<b>VWP</b>	Visa Waiver Program. Visitors from Visa Waiver countries are allowed to apply for entry to the United States on a passport for up to 90 days for business or pleasure without obtaining a visa. On September 30, 2004, US-VISIT procedures were expanded to include visitors traveling to the United States under the Visa Waiver Program arriving at airports and seaports. An estimated 13 million visitors from Visa Waiver countries enter the United States each year.
<b>WSDOT</b>	Washington State Department of Transportation.
<b>Watch List</b>	A list containing biographical and/or biometric information (includes known and/or suspected terrorists/criminals) utilized for law enforcement purposes within DHS.
<b>WDFW</b>	Washington Department of Fish and Wildlife.
<b>WADNR</b>	Washington Department of Natural Resources.
<b>WRC</b>	Water Resources Council.

## 7.0 LIST OF PREPARERS

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## APPENDIX A

### ALTERNATIVES DESCRIPTION





**APPENDIX A -- ALTERNATIVE DESCRIPTION**

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## **1.0 ENTRY ALTERNATIVES DESCRIPTIONS**

The following sections provide a detailed description of each operational alternative for the entry process and present possible business scenarios depicting how each alternative may fit into the current land border entry process.

### **1.1 BIOMETRICS – FACIAL RECOGNITION**

This operational alternative would introduce photo biometric verification for all in-scope travelers as they cross at land ports of entry (LPOEs). Facial recognition analyzes the characteristics of a person's face images input through a digital video camera. Facial recognition software is capable of comparing digital photographs and determining a probable match. It measures the overall facial structure, including distances between eyes, nose, mouth, and jaw edges. These measurements are retained in a database and used as a comparison when a user stands before the camera.

Facial images of the travelers would be collected along with biographic information and finger scans during enrollment. During re-entry, a camera located before the primary inspection booth would collect a facial image of the traveler. The image collected would then be compared against images of the registered US-VISIT in-scope travelers. After a match is found, the traveler's information would be securely retrieved from US-VISIT databases. This information would be queued for the time of presentation with the Customs and Border Protection (CBP) Officer.

### **1.2 BIOMETRICS – VOICE RECOGNITION**

This operational alternative would introduce voice recognition technology for all in-scope travelers as they cross at LPOEs. Voice recognition technology utilizes the distinctive aspects of the voice to verify the identity of individuals. It measures multiple characteristics to create a voice print such as frequency, amplitude, harmonics, and rhythm. There are differences between peoples' voice signature due to vocal tract differences in length, shape of mouth, nasal cavities, etc. These differences are used in comparison. Voice recognition technology would match a traveler's voice to the pre-recorded digital voice samples stored in the traveler's profile.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment along with a voice sample created by repeating a pre-determined phrase. On re-entry, the traveler would be prompted to say a pre-determined phrase into a microphone (or other voice collection device) located before the primary inspection booth. Supporting software would be used to find a match against all registered US-VISIT travelers and the traveler's corresponding biographic and biometric information would be retrieved. This information would be queued for the time of presentation with the CBP Officer.

### **1.3 BIOMETRICS – IRIS SCANS**

This operational alternative would introduce iris scans for all in-scope travelers as they cross at land ports of entry (LPOEs). Iris scans analyze the features that exist in the colored tissue surrounding the pupil which has more than 200 points that can be used for comparison, including rings, furrows and freckles. The scans use a regular video camera style.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment along with an iris scan. On re-entry, the traveler would be required to place his or her eye up to a device that would scan the iris of the eye. This device could be located before the primary inspection booth. Supporting software would compare and match the iris signature against all registered US-VISIT travelers and securely retrieve the traveler's corresponding biographic and biometric information. This information would be queued for the time of presentation with the CBP Officer.

## **1.4 BIOMETRICS – RETINAL SCANS**

Retinal scanning analyzes the layer of blood vessels at the back of the eye. Scanning involves using a low-intensity light source and an optical coupler and can read the patterns at a great level of accuracy. It is also among the most difficult to use, and is perceived as being moderately to highly intrusive. Film portrayals of retina scan devices reading at an arm's length, with a non-stationary subject, are false.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment along with a retinal scan. On re-entry, the traveler would be required to place his or her eye up to a device that would scan the retina of the eye. This device could be located before the primary inspection booth. Supporting software would compare and match the retinal signature against all registered US-VISIT travelers and retrieve the traveler's corresponding biographic and biometric information. This information would be queued for the time of presentation with the CBP Officer.

## **1.5 BIOMETRICS – HAND GEOMETRY**

This approach uses the geometric shape and dimensions of the hand for authenticating a user's identity.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment along with a hand scan. On re-entry, the traveler would be required to place his or her hand on the scanning device. This device could be located before the primary inspection booth. Supporting software would compare and match the hand geometry against all registered US-VISIT travelers and retrieve the traveler's corresponding biographic and biometric information. This information would be queued for the time of presentation with the CBP Officer.

## **1.6 BIOMETRICS – FINGER SCANS**

Finger scan technology takes an image (either using ink or a digital scan) of a person's fingertips and records its characteristics. Whorls, arches, and loops are recorded along with the patterns of ridges, furrows, and minutiae. This information may then be processed or stored as an image or as an encoded computer algorithm to be compared with other fingerprint records.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment. On re-entry, the traveler would be required to place his or her finger on a device that would scan the fingerprint. This device could be located before the primary inspection booth. Supporting software would compare and match the finger scan against all registered US-VISIT travelers and retrieve the traveler's corresponding biographic and biometric information. This information would be queued for the time of presentation with the CBP Officer.

## **1.7 ACTIVE RADIO FREQUENCY IDENTIFICATION (RFID)**

This operational alternative relies on the use of active Radio Frequency Identification (RFID) technology to record and manage traveler entries at LPOEs. In active RFID technology, the active RFID tag includes a power source along with an antenna and microchip. Active RFID tags constantly beacon their signal. The RFID reader listens for the active RFID tag's beaconing and receives the information stored on the active RFID tag when it is within range of the reader. In the context of Increment 2C, the RFID tag would store a unique identification number for each in-scope traveler.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment and would be issued an active RFID tag. Upon re-entry, the traveler would pass in the vicinity of antennas and readers located before the primary inspection booth that would read the RFID tag. The tag would send a signal that contains a unique identification code. The traveler's information would be retrieved from US-VISIT databases using the ID code as a key. This information would be queued for the time of presentation with the CBP Officer.

## 1.8 PASSIVE RADIO FREQUENCY IDENTIFICATION (RFID)

This operational alternative relies on the use of Passive Radio Frequency Identification (RFID) technology to record and monitor traveler entries at LPOEs. In passive RFID technology, the passive RFID tag element consists of an antenna integrated with a microchip. The RFID reader and antenna transmit an electromagnetic RF signal. This signal is received by the RFID tag via the tag's antenna. The energy in the received signal provides the power to the tag that allows the microchip to operate. The tag would then send its stored information back to the reader. In the context of Increment 2C, the RFID tag would store a unique identification number for each in-scope traveler.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment and would be provided a travel document or other object containing a passive RFID tag. Upon re-entry, the traveler would pass in the vicinity of antennas that would illuminate the passive RFID tag. The tag would return a signal that contains a unique identification code. The traveler's information would be retrieved from US-VISIT databases using the ID code as a key. This information would be queued for the time of presentation with the CBP Officer.

## 1.9 GLOBAL POSITIONING SYSTEM (GPS)

This operational alternative relies on the use of Global Positioning System (GPS) technology to record and monitor traveler entries at LPOEs. A GPS-based technique would include a GPS receiver coupled with a communications device such as a cell phone or other wireless communications device. Additionally, this device would need to store internally digital maps of the regions in the vicinity of the U.S. POEs. As the traveler approached a POE, the location of the traveler as determined by the GPS would be compared to the digital maps. When the traveler was within the region of the POE, the device would transmit identity information to the POE indicating that it was arriving. However, the location determination for a commercially available GPS device is only accurate to approximately 30 meters. The GPS signal would not be available indoors at all. It would not be possible to locate the traveler down to an individual lane or indoor pedestrian entry point. With respect to the Increment 2C Concept of Operations, the traveler would be identified as "pending" but not associated to any one lane or pedestrian primary point. The traveler would not be confirmed to a particular lane until travel documents were presented to the CBP Officer.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment and would then be issued a GPS device. On traveler re-entry, the GPS device would autonomously determine that the traveler was approaching the POE area based upon stored maps of border regions. At that point, a traveler identity notification would be sent automatically via the wireless communications device to retrieve traveler biometric and biographic information. This information would be queued for the time of presentation with the CBP Officer.

## 1.10 SELF SERVICE KIOSKS IN MEXICO/CANADA

This operational alternative would introduce self-service kiosks to the entry process, to be located before the primary inspection booth.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment. As the in-scope traveler approaches the self-service kiosk on re-entry, the traveler would swipe their travel documents, scan their fingerprints or another biometric technique, or enter their biographic information which would be used to retrieve the complete traveler biographic and biometric information. This information would be queued for the time of presentation with the CBP Officer.

## **1.11 FACILITATED BORDER CROSSING - AUTOMATIC REFERRAL TO SECONDARY INSPECTION**

This operational alternative would introduce mandatory secondary processing for each entry of the in-scope traveler at a LPOE. This alternative modifies the entry process for in-scope travelers, but does not require any changes to existing technology infrastructures.

Every time the in-scope traveler enters a LPOE at primary inspection, the traveler would be referred to secondary inspection by the CBP Officer. In secondary inspection, the CBP Officer would verify existing biographic and biometric information previously captured from the in-scope traveler under the Increment 2B process. A watchlist check would be run for the in-scope traveler when their previous US-VISIT enrollment information is retrieved. If no prior biographic and biometric data exists, the CBP Officer would collect it. Each traveler's admittance to the U.S. would be determined by the secondary inspection CBP Officer.

## **2.0 EXIT ALTERNATIVES DESCRIPTIONS**

The following sections provide a more detailed description of each operational alternative for the exit process and depict how each alternative may fit into the current land border exit process. These alternatives were selected for assessment based on their ability to fulfill the required Increment 2C capabilities.

### **2.1 BIOMETRICS - FACIAL RECOGNITION**

This operational alternative would use the facial recognition technology to associate an exit event with the traveler. See above (Entry Alternatives descriptions) for a more detailed description of facial recognition technology. It is assumed that a digital camera will be placed at every exit lane and positioned in a way to capture the photograph of the exiting traveler. In addition, the proximity of a camera to the border would determine the possibility of an enforcement action.

A digital photograph of the traveler would be taken as the traveler exits through a pedestrian or a vehicle exit lane. The traveler's digital photograph would be automatically matched to a digital photograph database using facial recognition technology. Facial recognition software is capable of comparing digital photographs and determining the probable match. If a match is found, the traveler's identity would be confirmed and the exit event recorded.

### **2.2 BIOMETRICS - VOICE RECOGNITION**

This operational alternative would use the voice recognition technology to associate an exit event with the traveler. Voice recognition technology allows matching traveler's voice to the pre-recorded digital voice samples stored in the traveler's profile. See above (Entry Alternatives descriptions) for a more detailed description of voice recognition technology.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment along with a voice sample by repeating a pre-determined phrase. The enrollment Officer would assign the traveler a PIN number and password, and provide the traveler with instructions and the phone number to call after exiting the United States (U.S.).

The traveler would exit at a LPOE under the current land border exit process. Within 24 hours of departure, the traveler would be required to record the exit event by calling an automated voice system and confirming their exit from the U.S. Existing technology would be used to verify that the call originated from outside of the U.S. The traveler would dial a number, enter a PIN or a password provided by a CBP Officer at the time of enrollment, and confirm exit using an automated voice system. The traveler's voice data would be compared by voice recognition software to the voice samples stored in the traveler's travel profile. If a match is found, an exit record would be recorded.



## **2.3 BIOMETRICS – IRIS SCANS**

This operational alternative would introduce the process of capturing exit information using iris scan technology. A more detailed description of iris scan technology can be found in the Entry Alternatives section above.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment along with an iris scan. An iris scan capture device would be placed in the exit area of the POE just before the exit. Travelers would be required to stop and have their iris scanned before proceeding thru vehicle or pedestrian exit. The scanned iris signature would be compared to US-VISIT registered travelers and if a match is found the exit would be recorded.

## **2.4 BIOMETRICS – RETINAL SCANS**

This operational alternative would introduce the process of capturing exit information using retinal scan technology. A more detailed description of retinal scan technology can be found in the Entry Alternatives section above.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment along with a retinal scan. A retinal scan capture device would be placed in the exit area of the POE just before the exit. Travelers would be required to stop and have their retina scanned before proceeding through vehicle or pedestrian exit. The scanned retinal signature would be compared to US-VISIT registered travelers and if a match is found the exit would be recorded.

## **2.5 BIOMETRICS – HAND GEOMETRY**

This operational alternative would introduce the process of capturing exit information using hand geometry scan technology. A more detailed description of hand geometry technology can be found in the Entry Alternatives section above.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment. On vehicle or pedestrian exit, the traveler would be required to place his or her hand on a device that would scan the hand's geometry. This device could be located in the exit area of the POE just before the exit. Supporting software would compare and match the hand geometry scan against all registered US-VISIT travelers and if a match is found the exit would be recorded.

## **2.6 BIOMETRICS – FINGER SCANS**

This operational alternative would introduce the process of capturing exit information using finger scan technology. A more detailed description of finger scan technology can be found in the Entry Alternatives section above.

The traveler would provide biographic and biometric data (facial image and finger scans) during enrollment. On vehicle or pedestrian exit, the traveler would be required to place his or her finger on a device that would scan the fingerprint. This device could be located in the exit area of the POE just before the exit. Supporting software would compare and match the finger scan against all registered US-VISIT travelers and if a match is found the exit would be recorded.

## **2.7 ACTIVE RADIO FREQUENCY IDENTIFICATION (RFID)**

This operational alternative would introduce the process of capturing exit information using active RFID technology. The active RFID tag previously issued to the in-scope traveler would be used to capture an exit event at the time of exit.

When the traveler enters a vehicle or pedestrian exit lane, the active RFID tag would be read, a match for the tag's unique ID would be conducted, and the traveler's exit recorded.

## 2.8 PASSIVE RADIO FREQUENCY IDENTIFICATION (RFID)

This operational alternative would introduce the process of capturing exit information using passive RFID technology. The passive RFID token previously issued to the in-scope traveler would be used to capture an exit event at the time of exit.

When the traveler enters a vehicle or pedestrian exit lane, the passive RFID token would be read, a match for the tag's unique ID would be conducted, and the traveler's exit recorded.

## 2.9 GLOBAL POSITIONING SYSTEM (GPS)

This operational alternative would introduce the process of capturing exit information using GPS technology. The GPS device previously issued to the in-scope traveler during enrollment would be used to capture an exit event. The description of this type device for entry applies here as well. As the traveler approaches the POE, the device would compare its location with the digital maps stored internally. The device using this information would determine that it was crossing the border from the U.S. to foreign side. The device would then send a message via the communications device that the border had been crossed. High precision location determination would not be available with this device, but it would not be required either.

When the traveler enters the LPOE, the GPS device autonomously determines that the traveler is approaching the exit area based upon stored maps of border regions. At that point, a traveler identity notification would be sent automatically via the wireless communications device to retrieve traveler information. If a match is found the traveler's exit would be recorded.

## 2.10 SELF SERVICE KIOSKS IN MEXICO/CANADA

This operational alternative would use self-service kiosks located in Mexico and Canada where travelers can record their exit from the U.S. Because self-service kiosks would be located outside of the U.S., CBP Officer involvement is not necessary.

The traveler would exit at a LPOE under the current land border exit process. As the in-scope traveler approaches the self-service kiosk, the traveler would swipe their travel documents (machine readable travel documents [MRTDs]), enter their biographic information (name and date of birth), or provide biometric information (finger scan, voice sample, hand geometry, retinal scan, or iris scan) and the exit would be recorded.

## 2.11 FACILITATED BORDER CROSSING - OUTBOUND PRIMARY INSPECTION

This operational alternative would introduce facilitated exit operations similar to those currently employed at primary inspection on entry at all vehicle and pedestrian exit lanes. Facilitated exit processing may be implemented in several ways, such as:

- Exit booths at all vehicle and pedestrian lanes;
- Mobile (handheld) devices; or
- Parking or vehicle pull-out lanes.

Regardless of the specific alternative, all facilitated exit processes would require additional staffing by CBP Officers.

As the in-scope traveler enters an exit lane, the traveler would stop at a designated location. The CBP Officer with a mobile device would swipe the traveler's travel documents, enter the traveler's biographic information (name and date of birth), or provide biometric information (finger scan, voice sample, hand geometry, retinal scan, or iris scan). After the traveler's information is entered, a query to find a traveler match would be executed. If a match is found, the exit would be recorded and the traveler would exit the U.S.

### 3.0 DETAILED TECHNOLOGY AND BUSINESS PROCESS ANALYSIS AND SELECTION

Details of each evaluation in Step 3 of the Alternatives Evaluation as described in Section 2 of the Final EA are provided below.

### 4.0 ENTRY ALTERNATIVES EVALUATION – CORE CAPABILITY CRITERIA

Table 1 summarizes the evaluation of the alternatives against the ‘Passive’ and ‘Remote’ criteria.

**TABLE 1  
CORE CAPABILITY - ENTRY ASSESSMENT TABLE**

ENTRY ALTERNATIVES		
Alternative Solution	Passive	Remote
Biometric Facial Recognition	No	Yes
Biometric Voice Recognition	No	Yes
Biometric Iris Scans	No	Yes
Biometric Retinal Scans	No	Yes
Biometric Finger Scans	No	Yes
Active RFID	Yes	Yes
Passive RFID	Yes	Yes
GPS	Yes	Yes
Self Service Kiosk	No	Yes
Automatic Referral to Secondary	No	No

#### 4.1 BIOMETRIC FACIAL RECOGNITION

Biometric Facial Recognition may require greater direct cooperation from the traveler by having them slow to a near or complete stop on entry in order to collect a useable image. As a result this does not meet the Passive criteria. A digital camera could be placed before the primary inspection booth for collecting traveler images. This could satisfy the Remote criteria, but would be site specific to each LPOE depending on current land use and primary inspection configurations at the POE.

Other challenging factors to consider with respect to the use of Biometric Facial Recognition:

- Effect of insufficient lighting on image quality.
- Effect of skin tone, eyeglasses, facial hair, or expression on image and accuracy of match.
- Vehicles with multiple travelers could significantly increase processing time and could require more direct interaction with CBP Officers as their facial images are captured.
- Climatic and environmental effects on equipment (heat, cold, rain, snow, ice, dust, etc.).

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

## 4.2 BIOMETRIC VOICE RECOGNITION

Biometric Voice Recognition would require greater direct cooperation from the traveler by having them completely stop on entry in order to collect a voice sample. As a result this does not meet the Passive criteria. A microphone or other recording device could be placed prior to primary inspection for collecting voice samples. This could satisfy the Remote criteria, but would be site specific to each LPOE depending on current land use and primary inspection configurations at the LPOE.

Other challenging factors to consider with respect to the use of Biometric Voice Recognition are:

- Effect of background noise levels when collecting a satisfactory voice sample (other people talking, wind, etc.).
- Health related issues that may affect the sound of a traveler's voice when collecting voice samples (head colds, sore throats, etc.).
- Climatic and environmental effects on equipment (heat, cold, rain, snow, ice, dust, etc.).

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

## 4.3 BIOMETRIC IRIS SCANS

Biometric Iris Scans would require greater direct cooperation from the traveler by having them completely stop on entry in order to collect the iris scan. As a result this does not meet the Passive criteria. A scanner could be placed before the primary inspection booth for collecting the iris scan. This could satisfy the Remote criteria, but would be site specific to each LPOE depending on current land use and primary inspection configurations at the LPOE.

Other challenging factors to consider with respect to the use of Biometric Iris Scans are:

- Climatic and environmental effects on equipment (heat, cold, rain, snow, ice, dust, etc.).

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

## 4.4 BIOMETRIC RETINAL SCANS

In its current incarnation, retina scan biometrics requires a cooperative, well-trained, patient audience, or else performance will fail dramatically. The user looks through a small opening in the device at a small green light. The user must keep their head still and eye focused on the light for several seconds during which time the device will verify his identity. This process takes about 10 to 15 seconds total. It does require the user to remove glasses, place their eye close to the device, and focus on a certain point. Biometric Retinal Scans would require greater direct cooperation from the traveler by having them completely stop on entry in order to collect the retinal scan. As a result this does not meet the Passive criteria. A scanner could be placed before the primary inspection booth for collecting the retinal scan. This could satisfy the Remote criteria, but would be site specific to each LPOE depending on current land use and primary inspection configurations at the LPOE. It is also perceived to be intrusive or harmful to a user's eye by many. Whether the accuracy can outweigh the public discomfort is yet to be seen.

Other challenging factors to consider with respect to the use of Biometric Iris Scans are:

- Climatic and environmental effects on equipment (heat, cold, rain, snow, ice, dust, etc.).

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

#### **4.5 BIOMETRIC HAND GEOMETRY**

Biometric Hand Geometry would require greater direct cooperation from the traveler by having them completely stop on entry in order to collect the hand geometry scan. As a result, this does not meet the Passive criteria. A scanner could be placed prior to primary inspection for collecting the retinal scan used in traveler identity matching and record retrieval. This could satisfy the Remote criteria, but would be site specific to each LPOE depending on current land use and primary inspection configurations at the LPOE. Other challenging factors to consider with respect to the use of Biometric Hand Geometry are:

- Climatic and environmental effects on equipment (heat, cold, rain, snow, ice, dust, etc.).

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

#### **4.6 BIOMETRIC FINGER SCANS**

Biometric Finger Scans would require greater direct cooperation from the traveler by having them completely stop on entry in order to collect the finger scan. As a result this does not meet the Passive criteria. A scanner could be placed before the primary inspection booth for collecting the finger scan used in traveler identity matching and record retrieval. This could satisfy the Remote criteria, but would be site specific to each LPOE depending on current land use and primary inspection configurations at the POE.

Other challenging factors to consider with respect to the use of Biometric Finger Scans are:

- Climatic and environmental effects on equipment (heat, cold, rain, snow, ice, dust, etc.).

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

#### **4.7 ACTIVE RFID**

Active RFID technology meets the Passive criteria in that minimal traveler involvement would be required to get a read, such as the traveler simply holding up an RFID token while moving through the read zone. It also meets the Remote criteria as the RFID reader could be placed prior to primary inspection and not require the traveler to stop in order to collect the read used for traveler identity matching and record retrieval.

#### **4.8 PASSIVE RFID**

Passive RFID technology meets the Passive criteria in that minimal traveler involvement would be required to get a read, such as the traveler simply holding up an RFID token while moving through the read zone. It also meets the Remote criteria as the RFID reader could be placed prior to primary inspection and not require the traveler to stop in order to collect the read used for traveler identity matching and record retrieval.

#### **4.9 GLOBAL POSITIONING SYSTEM (GPS)**

GPS technology meets the Passive and Remote criteria in that the GPS device could be detected automatically in proximity to the LPOE and prior to primary inspection.

#### **4.10 SELF SERVICE KIOSKS IN MEXICO/CANADA**

The Self-Service Kiosk alternative could employ any biographic information entry or any one of the biometric techniques described above to capture a traveler entry event. All of the biometric techniques as well as biographic information entry into a kiosk would require the traveler to completely stop to collect an image, scan, voice sample or biographic information. As a result, this does not satisfy the Passive criteria. The kiosk could be placed before the primary inspection booth to collect which ever means employed to be used in traveler identity matching and record retrieval. This could satisfy the Remote criteria, but would be site specific to each LPOE depending on current land use and primary inspection configurations at the LPOE. Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

#### 4.11 AUTOMATIC REFERRAL TO SECONDARY INSPECTION

A person-by-person accounting of every in-scope visitor who enters the country is not a practical alternative for Increment 2C. Forcing each traveler to stop and report to secondary inspection for processing would significantly delay movement at the land borders and thereby negatively impact legitimate trade and travel. This alternative is neither Passive nor Remote and will not be considered further.

#### 5.0 EXIT ALTERNATIVES ANALYSIS – CORE CAPABILITY CRITERIA

Table 2 summarizes the evaluation of the alternatives against the 'Passive' and 'Remote' criteria. Details of each evaluation are provided below.

**TABLE 2  
PHASE ONE CORE CAPABILITIES - EXIT ASSESSMENT TABLE**

EXIT ALTERNATIVES		
Alternative Solution	Passive	Remote
Biometric Facial Recognition	No	Yes
Biometric Voice Recognition – Phone In after exit	No	Yes
Biometric Iris Scans	No	Yes
Biometric Retinal Scans	No	Yes
Biometric Hand Geometry	No	Yes
Biometric Finger Scans	No	Yes
Active RFID	Yes	Yes
Passive RFID	Yes	Yes
GPS	Yes	Yes
Kiosk in Canada/Mexico	No	Yes
Outbound Primary Inspection	No	No

#### 5.1 BIOMETRIC FACIAL RECOGNITION

Biometric Facial Recognition may require greater direct cooperation from the traveler by having them slow to a near or complete stop on exit in order to collect a useable image. As a result this does not meet the Passive criteria. A digital camera could be placed prior to exit for collecting traveler images used to record the exit. This could satisfy the Remote criteria, but would be site specific to each LPOE depending on current land use and primary inspection configurations at the POE.

Other challenging factors to consider with respect to the use of Biometric Facial Recognition:

- Effect of insufficient lighting on image quality.
- Multiple travelers in one vehicle.
- Ability to capture useable image from a vehicle traveling at speed.
- Tinted vehicle windows.
- Climatic and environmental effects on equipment (heat, cold, rain, snow, ice, dust, etc.).

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

## 5.2 BIOMETRIC VOICE RECOGNITION –PHONE IN

Biometric Voice Recognition would require greater direct cooperation from the traveler by having them call an issued phone number after exiting the U.S. and say a pre-determined phrase to confirm their exit. As a result this does not meet the Passive criteria. Since this alternative employs the method of phoning in after exiting the U.S., it would not slow movement at the borders on exit.

Other challenging factors to consider with respect to the use of Biometric Voice Recognition are:

- Effect of background noise levels on collecting a satisfactory voice sample (other people talking, wind, etc.).
- No guarantee that the traveler will actually call in to confirm the exit after leaving the U.S.
- No real time data captured at the time of exit.
- Increased potential for fraud.
- Health related issues that may affect the sound of a traveler's voice when collecting voice samples (head colds, sore throats, etc.).

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

## 5.3 BIOMETRIC IRIS SCANS

Biometric Iris Scans would require greater direct cooperation from the traveler by having them completely stop on exit in order to collect the iris scan. As a result this does not meet the Passive criteria. A scanner could be placed prior to exit for collecting the iris scan used to record the exit. This could satisfy the Remote criteria, but would be site specific to each LPOE depending on current land use and exit lane configurations at the POE.

Other challenging factors to consider with respect to the use of Biometric Iris Scans are:

- Climatic and environmental effects on equipment (heat, cold, rain, snow, ice, dust, etc.).

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

## 5.4 BIOMETRIC RETINAL SCANS

Biometric Retinal Scans would require greater direct cooperation from the traveler by having them completely stop on entry in order to collect the retinal scan. As a result this does not meet the Passive criteria. A scanner could be placed before the primary inspection booth for collecting the retinal scan. This could satisfy the Remote criteria, but would be site specific to each LPOE depending on current land use and primary inspection configurations at the POE.

Other challenging factors to consider with respect to the use of Biometric Retinal Scans are:

- Climatic and environmental effects on equipment (heat, cold, rain, snow, ice, dust, etc.).

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

## 5.5 BIOMETRIC HAND GEOMETRY

Biometric Hand Geometry scans would require greater direct cooperation from the traveler by having them completely stop on exit in order to collect the hand scan. As a result this does not meet the Passive criteria. A scanner could be placed prior exit for collecting the hand scan used to record the exit. This could satisfy the Remote criteria, but would be site specific to each LPOE depending on current land use and exit lane configurations at the POE.

Other challenging factors to consider with respect to the use of Biometric Hand Geometry are:

- Climatic and environmental effects on equipment (heat, cold, rain, snow, ice, dust, etc.).

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.



## 5.6 BIOMETRIC FINGER SCANS

Biometric Finger Scans would require greater direct cooperation from the traveler by having them completely stop on exit in order to collect the finger scan. As a result this does not meet the Passive criteria. A scanner could be placed prior exit for collecting the finger scan used to record the exit. This could satisfy the Remote criteria, but would be site specific to each LPOE depending on current land use and exit lane configurations at the POE.

Other challenging factors to consider with respect to the use of Biometric Finger Scans are:

- Climatic and environmental effects on equipment (heat, cold, rain, snow, ice, dust, etc.).

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

## 5.7 ACTIVE RFID

Active RFID technology meets the Passive criteria in that minimal traveler involvement would be required to get a read, such as the traveler simply holding up an RFID token while moving through the read zone. The RFID reader could be placed prior to exit lanes and not require the traveler to stop in order to collect the read used to record the exit.

## 5.8 PASSIVE RFID

Passive RFID technology meets the Passive criteria in that minimal traveler involvement would be required to get a read, such as the traveler simply holding up an RFID token while moving through the read zone. The RFID reader could be placed prior to exit lanes and not require the traveler to stop in order to collect the read used to record the exit.

## 5.9 GLOBAL POSITIONING SYSTEM (GPS)

GPS technology meets the Passive and Remote criteria in that the GPS device could be detected automatically in proximity to the LPOE and prior to exit lanes.

## 5.10 SELF SERVICE KIOSKS IN MEXICO/CANADA

The Canadian/Mexican Kiosk alternative could employ any biographic information entry or any one of the biometric techniques described above to capture a traveler exit event. All of the biometric techniques as well as biographic information entry into a kiosk would require the traveler to completely stop to collect an image, scan, voice sample or biographic information. As a result, this does not satisfy the Passive criteria. The kiosk being placed in Canada and Mexico would not slow movement of borders on exit since.

Other challenging factors to consider with respect to the use of Kiosks in Canada/Mexico are:

- No real time data capture on exit.
- Political coordination between governments.
- Foreign construction permitting for construction of infrastructure to support kiosks.
- Construction to provide connectivity from kiosk to DHS infrastructure.
- No guarantee that traveler will use kiosk after exiting the U.S.

Since this alternative does not meet both the Passive and Remote criteria, it will not be considered further.

**5.11 OUTBOUND PRIMARY INSPECTION**

A person-by-person accounting of every in-scope visitor who exits the country is not a practical alternative for Increment 2C. Forcing each traveler to stop upon exit would significantly delay movement at the land borders and thereby negatively impact legitimate trade and travel. This alternative is neither Passive nor Remote and will not be considered further.

**6.0 EVALUATION - BORDER COMMUNITY CRITERIA**

Table 3 summarizes the evaluation of the alternatives against the Border Community constraint criteria. In the paragraphs below, the details of each evaluation are given.

**TABLE 3  
BORDER COMMUNITY CRITERIA**

CRITERIA	Active RFID	Passive RFID	GPS
No increase in wait times as a result of implementation	+	+	+
No degradation in level of service (LOS) for exit lanes	+	+	+
No significant degradation in traffic patterns	+	+	+

- + Supports criteria
- Does not support criteria

**6.1 ACTIVE RFID**

A solution incorporating active RFID technology would not be expected to increase wait times, degrade the level of service at exit, or degrade traffic patterns because the active RFID tag could be read automatically with a minimal need for traveler participation. The only traveler participation required would be the possession of the tag and perhaps holding the tag in view of the reader while traveling through the read zone. Active RFID supports all three US-VISIT directed constraints favorably.

**6.2 PASSIVE RFID**

A solution incorporating passive RFID technology would not increase wait times, degrade the level of service at exit, or degrade traffic patterns because the passive RFID tag could be read automatically with a minimal need for traveler participation. The only traveler participation required would be the possession of the tag and perhaps holding the tag in view of the reader while traveling through the read zone. Passive RFID supports all three US-VISIT directed constraints applied favorably.

**6.3 GPS**

A solution incorporating GPS what is GPS i.e. technology would not increase wait times, degrade the level of service at exit, or degrade traffic patterns since the GPS device could be read automatically with a minimal need for traveler participation. The only traveler participation required would be the possession of the device while traveling through the POE. GPS supports all three US-VISIT directed constraints applied favorably.

**7.0 EVALUATION – GENERAL CRITERIA**

Table 4 summarizes the evaluation of the alternatives against the General criteria. In the paragraphs below, the details of each evaluation are given.

**TABLE 4  
GENERAL CRITERIA - ASSESSMENT TABLE**

CRITERIA	Active RFID	Passive RFID	GPS
Commercial availability	+	+	+
Convenience to traveler	-	+	-
Privacy Impacts	-	+	-

+ Supports criteria  
- Does not support criteria

**7.1 ACTIVE RFID**

Active RFID is a technology that is commercially available and would not require extraordinary research and development efforts to implement.

Active RFID tags require batteries to operate. If an active tag's battery life expires, the traveler would need to be referred to secondary inspection and issued a new tag. This would constitute a referral to secondary inspection that may not have been previously required, thus creating an additional burden on the traveler and CBP Officers. The size of an average active RFID tag is on the order of the size and dimensions of a deck of cards. While this is not large, it is not conducive to carrying in a wallet or pocket and would be an inconvenience to the traveler. When considering convenience to the traveler, active RFID does not completely satisfy the criteria.

By the nature of the technology, active RFID tags are always beaconing. This beaconing would make it easier to track a traveler at a greater distance than other forms of RFID. When considering privacy impacts, active RFID does not completely satisfy the criteria.

Other challenging factors to consider with respect to the use of active RFID are:

- Federal Aviation Administration regulations currently prohibit active RFID devices on airplanes.
- Disposal of an active RFID tag is inconvenient since tags contain batteries and circuitry which are hazardous to the environment.
- Storage space required for multiple tags at POEs.

**7.2 PASSIVE RFID**

Passive RFID is a technology that is commercially available and would not require extraordinary research and development efforts to implement.

The size of a passive RFID tag could be the size and dimensions of a credit card or smaller. This small, compact size is conducive to handling, carrying, and storing of the passive RFID tag. The passive RFID tag also requires no maintenance by the traveler. It does not require batteries or for use and are much more difficult to access in an unauthorized fashion due to the need to transmit the appropriate signals to activate. When considering the convenience of the alternative to the traveler, passive RFID measures favorably.

**7.3 GPS**

GPS is a technology that is commercially available. However, the GPS configuration discussed above does not exist as a system and would require development. Digital maps of the border regions with adequate resolution would need to be obtained. A processor with associated memory would be needed to receive the location

information from the GPS device, compare that information against the stored digital maps to determine location and direction of travel. When the appropriate conditions had been satisfied, the device would initiate a call and transmit the message that it had arrived at entry or was departing through exit. Finally, this type of device would present a privacy concern because it would be transmitting a cell phone type signal whenever it was in the vicinity of a POE.

GPS devices also require batteries to operate. There is a potential imposition on the traveler to maintain the device's operability by ensuring the battery life has not run out. It would impose a further cost and inconvenience on the traveler should he or she need to replace the device's battery prior to an attempted entry to or exit from the U.S. If a GPS solution employed a device with non-replaceable batteries, the traveler would need to be referred to secondary inspection and issued a new device in the event that the device's battery life has been exceeded. This would constitute a referral to secondary inspection that may not have been previously required, thus creating an additional burden on the traveler and CBP Officers. The size of an average GPS device is relative to the size and dimensions of a cell phone. While this is not large, it is not conducive to carrying in a wallet or pocket and would inconvenience the traveler. When considering convenience to the traveler, GPS does not completely satisfy the criteria.

GPS is designed and used for tracking the position of objects. The location of a traveler possessing a GPS device could theoretically be tracked throughout the world. The possibility of tracking travelers outside of the POEs creates a major privacy issue. When considering privacy impacts, GPS does not completely satisfy the criteria.

Other challenging factors to consider with respect to the use of GPS are:

- Disposal of a GPS device is inconvenient since tags contain batteries and circuitry which are hazardous to the environment.
- Federal Aviation Administration regulations currently prohibit GPS devices on airplanes.
- Storage space required for multiple GPS devices at POEs.
- Cannot be read indoors.
- Require line of sight to satellites in order to function properly.

## 8.0 SELECTION OF SPECIFIC TECHNOLOGY FOR TESTING

The goal of the RFID feasibility tests was to simulate the exit of vehicles carrying RFID tags from a LPOE. Vendors capable of providing commercial off-the-shelf (COTS) products to meet the requirements were evaluated for the study. The tests addressed the overall technical performance of each vendor's equipment over a wide variety of configurations. A two-lane test track was retrofit at an existing commercial facility in Virginia. A sign bridge and other structures were constructed to support RFID readers and antennas. Antennas were placed at different positions and orientations relative to the vehicle to evaluate the ability to detect and read the RFID tag. The reader systems were interfaced with computers to automatically collect data from the tests. Test vehicles of different types and carrying varying numbers of passengers were driven down the test track at different speeds. The RFID antenna/readers collected data that was analyzed to determine whether a tag had been read or not.

A set of test cases to evaluate the vendor RFID equipment were based on core criteria and vendor unique parameters including:

- Power - In terms of power output, two types of RFID systems were evaluated during these tests to determine whether a lower power could be used. All required FCC licenses permitting higher power operation were obtained for this study. RFID systems that operate under FCC Part 15 rules were

evaluated, which permits the power radiated from the antennas to be less than 4 Watts (W) (6 decibels, referenced to 1 W (dbW)) Effective Radiated Power (ERP). RFID systems that licensed under an FCC Part 90 rules were also evaluated, which allow the systems to operate up to 30 W (12.5 dbW) ERP.

- Tag Type – The tag refers to the RFID device given to the traveler. At least two tag types were evaluated for each vendor; an ID card format and an adhesive label type tag format. The labels were affixed to an I-94 document and inserted in a small notepad that simulates a passport.
- Speeds - Vehicles were run at four test speeds: 20, 30, 40 and 50 MPH. Vehicles accelerated from the start point, reached the indicated speed, held that speed until clear of the tag detection area and then slowed and exited the test track. For trucks and buses, reaching 20 MPH could be accomplished in a safe manner. For the truck tests, the maximum speed that could be safely used was 35 MPH. For the bus tests, the maximum safe speed was 30 MPH.
- Orientations - Some tags are more sensitive to the orientation at which they are held than others. The intent of this variation was to discover if there was a sensitivity to orientation for a particular vendor tag and the degree of that sensitivity. The tests evaluated the tags in three orientations when the tag was hand-held. In the 'front' orientation, the flat surface of the tag faced the windshield. In the 'side' orientation, the flat surface of the tag faced the side window of the vehicle. In the 'oblique' orientation, the tag was turned midway between the side and front positions and tilted forward.
- Location - In addition to the hand held orientations, the RFID tags were placed in the vehicle at different locations as a simulation of more passive methods for making tags visible to the readers. Three configurations were evaluated:

Tags were placed in plastic sleeves that were taped to the window so that the sleeve hung away from the window and placed at the top center, top right, bottom left, bottom center and bottom right positions.

Tags were placed on the rear window in the same pattern as was used for the windshield.

Tags were placed on the front dash and on the rear ledge behind the passenger seat.

- Handling - Tag reading performance is expected to be better when a tag is held in a particular way, and the best tag holding technique is different for each vendor's tags. In most of the tests where the tag was hand-held, the tag was held in the best way for tag reading as determined by the vendor.
- Passive - This test was intended to evaluate certain types of passive tag use behavior. In this configuration, five tags were located in the car: one in the driver's shirt pocket, one in the glove compartment, one on the front passenger seat, and two on the rear passenger seat. The tests were included to explore the degree to which the RFID systems were sensitive to these conditions.
- Passengers - Describes the number of passengers per vehicle. Each test using a passenger car or truck was run using either two or five passengers per vehicle. When a bus was used, at least 18 people were on the bus, each presenting two tags to simulate twice as many passengers.
- Number of Vehicles - Either one or two vehicles were used in each test. When two vehicles were used, both vehicles entered the tag detection area side by side to the best ability of the drivers. If the vehicles were not sufficiently adjacent, the test run was cancelled and re-run.
- Vehicle Type - Sedan-type passenger cars were used in most cases. A tour bus was used when the test required a bus. The truck used was a 26-foot box truck.

## APPENDIX B

### CALCULATION OF RADIO FREQUENCY POWER DENSITY EXPOSURES



**APPENDIX B -- CALCULATION OF RADIO FREQUENCY POWER DENSITY EXPOSURES**

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## 1.0 CALCULATION OF RADIO FREQUENCY POWER DENSITY EXPOSURES

The Federal Communication Commission (FCC) has established limits for human exposure to Radiofrequency Electromagnetic Fields (RF Fields) and are detailed in FCC's Office of Engineering and Technology (OET) "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields" OET Bulletin 65, Edition 97-01, 1997

US-VISIT undertook an analysis to determine if there was a potential for exposure above those limits to the general public or CBP Officers as a result of the Increment 2C POC implementation.

The analysis addressed seven areas within a Land Port of Entry where both the general population (travelers) and employees (CBP officers) would be exposed to RF, these are:

- vehicle entry (including bus entry lanes which we are currently planning on using higher power) under FCC Part 15 (for vehicles) and Part 90 (for buses) Regulations (5 watts and 30 watts EIRP Max. respectively).
- two configurations for vehicle exit (overhead antennas and side fire and 30 watts EIRP Max. for each).
- the pre-read portals for pedestrian entry and exit under FCC Part 15 Regulations (4 watts EIRP).
- the workstation "proximity" antennas for pedestrian entry and secondary A-ID issuance (0.5 watts EIRP).

The FCC limits (outlined in OET Bulletin 65) are set for whole body exposure and are based on a measure of Power Density which is in milliwatts (RF Power) per square centimeter (cm<sup>2</sup> - exposed body area). According to FCC guidance, the Power Density limits for travelers at the planned RF Frequency is 0.61 mW/cm<sup>2</sup> and for occupational exposure is 3.05 mW/cm<sup>2</sup>.

For each area within a port, the analysis specified the expected minimum distance between antennas, and travelers and officers. Given the expected power output in each area, the Power Density was calculated using the guidance and methodology contained in OET Bulletin 65, Edition 97-01, 1997 using the equation:

$$S = \text{EIRP}/(4\pi R^2)$$

where: S = Power Density (in appropriate units, mW/cm<sup>2</sup>)

EIRP = Effective Isotropic Radiated Power (in appropriate units, mW/cm<sup>2</sup>)

R = distance to center of radiation of antenna (cm)

Calculations were based on a nominal frequency of 915 MHz and an EIRP of either 30 watts for the FCC Part 90 applications, 4 watts for FCC Part 15 applications or 0.5 watts for proximity devices.

Table 1 in this Appendix shows the results of these calculations for the Power Density exposures for the locations described above. The highest exposure to RF levels is vehicle exit and vehicle entry - bus lanes. The closest we expect travelers to be to these antenna is roughly 3 feet (1 meter or 100 cm). The Power Density at that distance and power level is .239 mW/cm<sup>2</sup>, slightly more than 1/3 of the maximum exposure for the general public, and less than 1/30 for officers (officers will most likely be 50 feet from those antenna).

Assumptions used in this analysis include:

1. **WHOLE BODY EXPOSURE (worst case)**  
FCC limitations are set for full body exposure. Even if a traveler or officer gets closer than the minimum safe distance, their entire body would not be exposed to unsafe RF levels simply due to the (typical) size of the human body and the size of the antenna (e.g., your legs would be further than the minimum safe distance).
2. **TIME WITHIN THE FIELD (continuous – worst case)**  
Assuming a traveler or officer had their entire body exposed to the maximum allowable power density just closer than the safest distance, they are still allowed to be within the field continuously
3. To avoid interference between antennas, US-VISIT plans on cycling on and off each antenna in each lane. This means that at any given moment, a traveler or officer is only exposed to one antenna, negating any additive effects of multiple antennas on a single individual.

**TABLE 1  
CALCULATION OF RADIO FREQUENCY POWER DENSITY EXPOSURE**

Location	Power (Watts EIRP)	Typical Minimum Distance to Antenna (cm)	Power Density (mW/cm <sup>2</sup> )	General Population / Uncontrolled Power Density Limit mW/cm <sup>2</sup>	Occupational / Controlled Power Density Limit mW/cm <sup>2</sup>	Maximum Safe Exposure Time	General Minimum Safe Distance * to Antenna (cm)	Occupational Minimum Safe Distance * to Antenna (cm)
Vehicle Exit - Overhead	30	300	<b>0.027</b>	0.61	3.05	Continuous	63	28
Vehicle Exit – Side-fire	30	100	<b>0.239</b>	0.61	3.05	Continuous	63	28
Vehicle Entry – Side-fire, Bus Lanes	30	100	<b>0.239</b>	0.61	3.05	Continuous	63	28
Vehicle Entry – Side-fire	4	100	<b>0.032</b>	0.61	3.05	Continuous	23	10
Pedestrian Entry - Portal	4	50	<b>0.127</b>	0.61	3.05	Continuous	23	10
Pedestrian Entry - Proximity	0.5	50	<b>0.016</b>	0.61	3.05	Continuous	8	4
Pedestrian Exit - Portal	4	50	<b>0.127</b>	0.61	3.05	Continuous	23	10
Issuance - Proximity	0.5	50	<b>0.016</b>	0.61	3.05	Continuous	8	4

Assumptions:

915 MHz used as nominal frequency

EIRP determined from transmit power times power gain of antenna (8 dBi gain [factor of 6] and power of 5 watts).

\*Minimum Safe Distance - distance at which the exposure equals the population's power density limit for unlimited exposure.

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## APPENDIX C

### SECTION 106 HPA COORDINATION LETTERS





**Homeland  
Security**

JoAnne Medley  
State Historic Preservation Office  
Arizona State Parks  
1300 W. Washington Road  
Phoenix, AZ 85007

**RE: Increment 2C Proof of Concept  
Section 106 Consultation  
“no historic properties affected”**

Dear Ms. Medley:

As you are aware, the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program has been working on a plan (Increment 2C Proof of Concept [POC]) to install new technology at five land ports of entry (LPOEs) on the northern and southern borders. Initial consultation outlining the scope, area of potential effect (APE), and consulting parties was sent to your office previously (Mahoney to Medley March 22, 2005). At this time, we are able to present you with a description of the undertaking, and request that you take this information into account while reviewing our recommendation of effect.

The Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for in-scope travelers, and will facilitate the capture of information regarding the entry and exit of these visitors into and out of the United States. The Increment 2C POC will be implemented at the Mariposa-Nogales West (Mariposa) and Nogales East (Nogales) LPOEs.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

Enclosed are several graphics showing the plans for the undertaking (graphics labeled Inbound and Outbound Routings), and visualizations of the new installations. The installation of the Increment 2C infrastructure is primarily focused on running wiring from the main buildings to the external structures in the travel lanes. The RF readers at the Mariposa and Nogales inbound lanes will be installed on poles immediately in front of the existing equipment. New metal gantries will be installed at the outbound lanes at both LPOEs to hold the RF readers.



To evaluate whether or not historic properties may be present at the Nogales and Mariposa LPOEs, US-VISIT initiated efforts to conduct cultural resources assessments. It was determined that there was insufficient undisturbed area at the Nogales LPOE to warrant archaeological inventory. The results of the structure evaluations are presented in the enclosed report *Evaluation of Buildings & Structures at Nogales West/Mariposa Road (MAP) and Nogales East (NOG) Land ports of Entry* and the archaeological inventory of Mariposa LPOE is reported in *Archaeological Survey of the Mariposa (MAP) Land Port of Entry, Santa Cruz County, Arizona*.

No historic properties were recorded at the Mariposa LPOE. The Nogales LPOE is adjacent to the Nogales Multiple Resource Area (MRA). The Federal Building at the corner of International and Terrace Streets is the only property within the Nogales LPOE that is part of the MRA. The enclosed graphic shows the relationship between the Federal Building and the LPOE.

The gantry to be installed at Nogales will extend from an existing structure in the median between the inbound and outbound lanes, across the outbound roadway. The gantry will be in an area that is surrounded by the existing LPOE, security, and safety equipment. The view from the Federal building will be similar to the current view in that there is a large new building behind the gantry. This building has already impacted the integrity of the view from the Federal building. The visible elements of the current installation will, therefore, not impact the integrity of the eligible and listed structures in the surrounding area.

As no historic properties were identified within the APE of the Mariposa LPOE, and installation of the equipment at Nogales will not impact the integrity of the historic properties, US-VISIT recommends that the project proceeds with a finding of "no historic properties affected."

We are conducting concurrent consultation with the following Native American Tribes: the Hopi Tribe, the San Carlos Apache Tribe, the Tohono O'odham Nation, and the White Mountain Apache Tribe. We will be sure to forward you any responses to this consultation.

Please review the enclosed graphics, reports, and information provided in this letter regarding US-VISIT's implementation of the Increment 2C POC. If you determine that the reports are adequate, and agree with the finding of "no historic properties affected," please indicate your concurrence by signing below. If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Myer Drive  
Arlington, VA 22209

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Signature for SIPO Concurrence

---

Date

Enclosures

- c. Jim Oberg, General Services Administration – without enclosures  
Caroline Alderson, General Services Administration  
Lisa Folb, Michael Baker Jr., Inc.



# Homeland Security

Dr. John Welch  
White Mountain Apache Tribe  
Tribal Historic Preservation Officer  
Historic Preservation Office  
General Crook Street, Building 102  
Fort Apache, AZ 85926

**RE: Increment 2C Proof of Concept  
Section 106 Consultation  
"no historic properties affected"**

Dear Dr. Welch:

The United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program, a program within the Department of Homeland Security, has developed a preliminary plan (Increment 2C Proof of Concept [POC]) to install new technology at the busiest Land Ports of Entry (LPOEs). Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for qualifying visitors, and will facilitate the capture of information regarding the entry and exit of these visitors into and out of the United States. Prior to implementing this technology at all 50 of the busiest LPOEs, US-VISIT will test the concepts by installing the technology at five LPOEs on the Northern and Southern Borders.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

A typical configuration for the RF equipment placement for the Increment 2C POC is that they will be affixed to two steel light poles approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. The light poles, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas, directed inward toward the vehicles, are in what is referred to as the 'side-fire' position. Another option is to attach the equipment to an overhead gantry, either within an existing overhead structure or on a new metal gantry.

At this time, we are able to present you with a description of the undertaking, and request that you take this information into account while reviewing our recommendation of effect. The Increment 2C POC will be implemented at the Mariposa-Nogales West (Mariposa) and Nogales East (Nogales) LPOEs in Arizona.

Enclosed are several graphics showing the plans for the undertaking (graphics labeled Inbound and Outbound Routings), and visualizations of the new installations. The installation of the Increment 2C infrastructure is primarily focused on running wiring from the main buildings to the external structures in the travel lanes. The RF readers at the Mariposa and Nogales inbound lanes will be installed on poles immediately in front of the existing equipment. New metal gantries will be installed at the outbound lanes at both LPOEs to hold the RF readers.

To evaluate whether or not historic properties may be present at the Nogales and Mariposa LPOEs, US-VISIT initiated efforts to conduct cultural resources assessments. It was determined that there was insufficient undisturbed area at the Nogales LPOE to warrant archaeological inventory. The results of the structure evaluations are presented in the enclosed report *Evaluation of Buildings & Structures at Nogales West/Mariposa Road (MAP) and Nogales East (NOG) Land ports of Entry* and the archaeological inventory of Mariposa LPOE is reported in *Archaeological Survey of the Mariposa (MAP) Land Port of Entry, Santa Cruz County, Arizona*.

No historic properties were recorded at the Mariposa LPOE. The Nogales LPOE is adjacent to the Nogales Multiple Resource Area (MRA). The Federal Building at the corner of International and Terrace Streets is the only property within the Nogales LPOE that is part of the MRA. The enclosed graphic shows the relationship between the Federal Building and the LPOE.

The gantry to be installed at Nogales will extend from an existing structure in the median between the inbound and outbound lanes, across the outbound roadway. The gantry will be in an area that is surrounded by the existing LPOE, security, and safety equipment. The view from the Federal building will be similar to the current view in that there is a large new building behind the gantry. This building has already impacted the integrity of the view from the Federal building. The visible elements of the current installation will, therefore, not impact the integrity of the eligible and listed structures in the surrounding area.

As no historic properties were identified within the APE of the Mariposa LPOE, and installation of the equipment at Nogales will not impact the integrity of the historic properties, US-VISIT recommends that the project proceeds with a finding of "no historic properties affected."

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with US-VISIT's eligibility recommendations and recommendation of project effect, please indicate your concurrence by signing below. At this time, US-VISIT is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, US-VISIT would make a good faith effort to address any concerns. However, such consultation would not necessitate a reconsideration of this recommendation.

If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Myer Drive  
Arlington, VA 22209

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Signature for SHPO Concurrence

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Date

Enclosures

- c. Jim Oberg, General Services Administration – without enclosures
- Caroline Alderson, General Services Administration
- Lisa Folb, Michael Baker Jr., Inc.



# Homeland Security

Ms. Vivian Juan-Saunders  
Tohono O'odham Nation  
Main Street  
Administration Building  
Sells, AZ 85634

**RE: Increment 2C Proof of Concept  
Section 106 Consultation  
"no historic properties affected"**

Dear Ms. Juan-Saunders:

The United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program, a program within the Department of Homeland Security, has developed a preliminary plan (Increment 2C Proof of Concept [POC]) to install new technology at the busiest Land Ports of Entry (LPOEs). Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for qualifying visitors, and will facilitate the capture of information regarding the entry and exit of these visitors into and out of the United States. Prior to implementing this technology at all 50 of the busiest LPOEs, US-VISIT will test the concepts by installing the technology at five LPOEs on the Northern and Southern Borders.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

A typical configuration for the RF equipment placement for the Increment 2C POC is that they will be affixed to two steel light poles approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. The light poles, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas, directed inward toward the vehicles, are in what is referred to as the 'side-fire' position. Another option is to attach the equipment to an overhead gantry, either within an existing overhead structure or on a new metal gantry.

At this time, we are able to present you with a description of the undertaking, and request that you take this information into account while reviewing our recommendation of effect. The Increment 2C POC will be implemented at the Mariposa-Nogales West (Mariposa) and Nogales East (Nogales) LPOEs in Arizona.

Enclosed are several graphics showing the plans for the undertaking (graphics labeled Inbound and Outbound Routings), and visualizations of the new installations. The installation of the Increment 2C infrastructure is primarily focused on running wiring from the main buildings to the external structures in the travel lanes. The RF readers at the Mariposa and Nogales inbound lanes will be installed on poles immediately in front of the existing equipment. New metal gantries will be installed at the outbound lanes at both LPOEs to hold the RF readers.

To evaluate whether or not historic properties may be present at the Nogales and Mariposa LPOEs, US-VISIT initiated efforts to conduct cultural resources assessments. It was determined that there was insufficient undisturbed area at the Nogales LPOE to warrant archaeological inventory. The results of the structure evaluations are presented in the enclosed report *Evaluation of Buildings & Structures at Nogales West/Mariposa Road (MAP) and Nogales East (NOG) Land ports of Entry* and the archaeological inventory of Mariposa LPOE is reported in *Archaeological Survey of the Mariposa (MAP) Land Port of Entry, Santa Cruz County, Arizona*.

No historic properties were recorded at the Mariposa LPOE. The Nogales LPOE is adjacent to the Nogales Multiple Resource Area (MRA). The Federal Building at the corner of International and Terrace Streets is the only property within the Nogales LPOE that is part of the MRA. The enclosed graphic shows the relationship between the Federal Building and the LPOE.

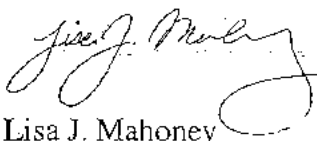
The gantry to be installed at Nogales will extend from an existing structure in the median between the inbound and outbound lanes, across the outbound roadway. The gantry will be in an area that is surrounded by the existing LPOE, security, and safety equipment. The view from the Federal building will be similar to the current view in that there is a large new building behind the gantry. This building has already impacted the integrity of the view from the Federal building. The visible elements of the current installation will, therefore, not impact the integrity of the eligible and listed structures in the surrounding area.

As no historic properties were identified within the APE of the Mariposa LPOE, and installation of the equipment at Nogales will not impact the integrity of the historic properties, US-VISIT recommends that the project proceeds with a finding of "no historic properties affected."

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with US-VISIT's eligibility recommendations and recommendation of project effect, please indicate your concurrence by signing below. At this time, US-VISIT is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, US-VISIT would make a good faith effort to address any concerns. However, such consultation would not necessitate a reconsideration of this recommendation.

If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Myer Drive  
Arlington, VA 22209

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Signature for SHPO Concurrence

Date

Enclosures

- c. Jim Oberg, General Services Administration – without enclosures
- Caroline Alderson, General Services Administration
- Lisa Folb, Michael Baker Jr., Inc.





# Homeland Security

Ms. Kathleen Wesley-Kitcheyan  
San Carlos Apache Tribe  
Chairwoman  
Airport Road  
San Carlos, AZ 85550

**RE: Increment 2C Proof of Concept  
Section 106 Consultation  
“no historic properties affected”**

Dear Ms. Wesley-Kitcheyan:

The United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program, a program within the Department of Homeland Security, has developed a preliminary plan (Increment 2C Proof of Concept [POC]) to install new technology at the busiest Land Ports of Entry (LPOEs). Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for qualifying visitors, and will facilitate the capture of information regarding the entry and exit of these visitors into and out of the United States. Prior to implementing this technology at all 50 of the busiest LPOEs, US-VISIT will test the concepts by installing the technology at five LPOEs on the Northern and Southern Borders.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

A typical configuration for the RF equipment placement for the Increment 2C POC is that they will be affixed to two steel light poles approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. The light poles, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas, directed inward toward the vehicles, are in what is referred to as the ‘side-fire’ position. Another option is to attach the equipment to an overhead gantry, either within an existing overhead structure or on a new metal gantry.

At this time, we are able to present you with a description of the undertaking, and request that you take this information into account while reviewing our recommendation of effect. The Increment 2C POC will be implemented at the Mariposa-Nogales West (Mariposa) and Nogales East (Nogales) LPOEs in Arizona.

Enclosed are several graphics showing the plans for the undertaking (graphics labeled Inbound and Outbound Routings), and visualizations of the new installations. The installation of the Increment 2C infrastructure is primarily focused on running wiring from the main buildings to the external structures in the travel lanes. The RF readers at the Mariposa and Nogales inbound lanes will be installed on poles immediately in front of the existing equipment. New metal gantries will be installed at the outbound lanes at both LPOEs to hold the RF readers.

To evaluate whether or not historic properties may be present at the Nogales and Mariposa LPOEs, US-VISIT initiated efforts to conduct cultural resources assessments. It was determined that there was insufficient undisturbed area at the Nogales LPOE to warrant archaeological inventory. The results of the structure evaluations are presented in the enclosed report *Evaluation of Buildings & Structures at Nogales West/Mariposa Road (MAP) and Nogales East (NOG) Land ports of Entry* and the archaeological inventory of Mariposa LPOE is reported in *Archaeological Survey of the Mariposa (MAP) Land Port of Entry, Santa Cruz County, Arizona*.

No historic properties were recorded at the Mariposa LPOE. The Nogales LPOE is adjacent to the Nogales Multiple Resource Area (MRA). The Federal Building at the corner of International and Terrace Streets is the only property within the Nogales LPOE that is part of the MRA. The enclosed graphic shows the relationship between the Federal Building and the LPOE.

The gantry to be installed at Nogales will extend from an existing structure in the median between the inbound and outbound lanes, across the outbound roadway. The gantry will be in an area that is surrounded by the existing LPOE, security, and safety equipment. The view from the Federal building will be similar to the current view in that there is a large new building behind the gantry. This building has already impacted the integrity of the view from the Federal building. The visible elements of the current installation will, therefore, not impact the integrity of the eligible and listed structures in the surrounding area.

As no historic properties were identified within the APE of the Mariposa LPOE, and installation of the equipment at Nogales will not impact the integrity of the historic properties, US-VISIT recommends that the project proceeds with a finding of "no historic properties affected."

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with US-VISIT's eligibility recommendations and recommendation of project effect, please indicate your concurrence by signing below. At this time, US-VISIT is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, US-VISIT would make a good faith effort to address any concerns. However, such consultation would not necessitate a reconsideration of this recommendation.

If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Myer Drive  
Arlington, VA 22209

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Signature for SHPO Concurrence

---

Date

Enclosures

- c. Jim Oberg, General Services Administration -- without enclosures
- Caroline Alderson, General Services Administration
- Lisa Folb, Michael Baker Jr., Inc.



**Homeland  
Security**

Leigh Kuwanwisiwma  
Hopi Tribe Cultural Preservation Office  
Kykotsmovi, AZ 86039

**RE: Increment 2C Proof of Concept  
Section 106 Consultation  
"no historic properties affected"**

Dear Mr. Kuwanwisiwma:

The United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program, a program within the Department of Homeland Security, has developed a preliminary plan (Increment 2C Proof of Concept [POC]) to install new technology at the busiest Land Ports of Entry (LPOEs). Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for qualifying visitors, and will facilitate the capture of information regarding the entry and exit of these visitors into and out of the United States. Prior to implementing this technology at all 50 of the busiest LPOEs, US-VISIT will test the concepts by installing the technology at five LPOEs on the Northern and Southern Borders.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

A typical configuration for the RF equipment placement for the Increment 2C POC is that they will be affixed to two steel light poles approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. The light poles, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas, directed inward toward the vehicles, are in what is referred to as the 'side-fire' position. Another option is to attach the equipment to an overhead gantry, either within an existing overhead structure or on a new metal gantry.

At this time, we are able to present you with a description of the undertaking, and request that you take this information into account while reviewing our recommendation of effect. The Increment 2C POC will be implemented at the Mariposa-Nogales West (Mariposa) and Nogales East (Nogales) LPOEs in Arizona.

Enclosed are several graphics showing the plans for the undertaking (graphics labeled Inbound and Outbound Routings), and visualizations of the new installations. The installation of the Increment 2C infrastructure is primarily focused on running wiring from the main buildings to the external structures in the travel lanes. The RF readers at the Mariposa and Nogales inbound lanes will be installed on poles immediately in front of the existing equipment. New metal gantries will be installed at the outbound lanes at both LPOEs to hold the RF readers.

To evaluate whether or not historic properties may be present at the Nogales and Mariposa LPOEs, US-VISIT initiated efforts to conduct cultural resources assessments. It was determined that there was insufficient undisturbed area at the Nogales LPOE to warrant archaeological inventory. The results of the structure evaluations are presented in the enclosed report *Evaluation of Buildings & Structures at Nogales West/Mariposa Road (MAP) and Nogales East (NOG) Land ports of Entry* and the archaeological inventory of Mariposa LPOE is reported in *Archaeological Survey of the Mariposa (MAP) Land Port of Entry, Santa Cruz County, Arizona*.

No historic properties were recorded at the Mariposa LPOE. The Nogales LPOE is adjacent to the Nogales Multiple Resource Area (MRA). The Federal Building at the corner of International and Terrace Streets is the only property within the Nogales LPOE that is part of the MRA. The enclosed graphic shows the relationship between the Federal Building and the LPOE.

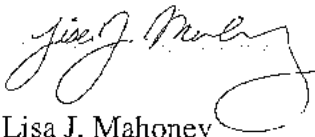
The gantry to be installed at Nogales will extend from an existing structure in the median between the inbound and outbound lanes, across the outbound roadway. The gantry will be in an area that is surrounded by the existing LPOE, security, and safety equipment. The view from the Federal building will be similar to the current view in that there is a large new building behind the gantry. This building has already impacted the integrity of the view from the Federal building. The visible elements of the current installation will, therefore, not impact the integrity of the eligible and listed structures in the surrounding area.

As no historic properties were identified within the APE of the Mariposa LPOE, and installation of the equipment at Nogales will not impact the integrity of the historic properties, US-VISIT recommends that the project proceeds with a finding of "no historic properties affected."

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with US-VISIT's eligibility recommendations and recommendation of project effect, please indicate your concurrence by signing below. At this time, US-VISIT is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, US-VISIT would make a good faith effort to address any concerns. However, such consultation would not necessitate a reconsideration of this recommendation.

If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Myer Drive  
Arlington, VA 22209

\_\_\_\_\_  
Signature for SHPO Concurrence

\_\_\_\_\_  
Date

Enclosures

- c. Jim Oberg, General Services Administration – without enclosures
- Caroline Alderson, General Services Administration
- Lisa Folb, Michael Baker Jr., Inc.



# Homeland Security

Ruth Pierpont  
Bureau of Field Services  
NY State Parks, Recreation and Historic Preservation  
Pebbles Island PO 189  
Waterford, NY 12188-0189

**RE: Increment 2C Proof of Concept  
Section 106 Consultation  
“no historic properties affected”**

Dear Ms. Pierpont:

As you are aware, the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program has been working on a plan (Increment 2C Proof of Concept [POC]) to install new technology at five land ports of entry (LPOEs) on the northern and southern borders. Initial consultation outlining the scope, area of potential effect (APE), and consulting parties was sent to your office previously (Mahoney to Pierpont March 22, 2005). At this time, we are able to present you with a description of the undertaking, and request that you take this information into account while reviewing our recommendation of effect.

The Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for in-scope travelers, and will facilitate the capture of information regarding the entry and exit of these visitors into and out of the United States. The Increment 2C POC will be implemented at the Alexandria Bay/Thousand Island LPOE.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

Enclosed are several graphics showing the plans for the undertaking (graphics labeled Inbound and Outbound Routings), and visualizations of the new installations. The installation of the Increment 2C infrastructure is primarily focused on running wiring from the main buildings to the external structures in the travel lanes. The RF readers will be installed on poles immediately in front of the existing equipment. A new metal gantry will be installed at the outbound lanes.

To evaluate whether or not historic properties may be present at the Alexandria Bay/Thousand Island LPOE, US-VISIT initiated efforts to conduct cultural resources assessments. It was determined that there was insufficient undisturbed area at the Alexandria Bay/Thousand Island LPOE to warrant archaeological inventory. The results of the structure evaluations are presented in the enclosed report *Evaluation of Buildings & Structures at Thousand Island (THO) Land Port of Entry*. No historic properties were recorded at the Alexandria Bay/Thousand Island LPOE.

As no historic properties were identified within the APE of the Alexandria Bay/Thousand Island LPOE US-VISIT recommends that the project proceeds with a finding of "no historic properties affected."

We are conducting concurrent consultation with the Seneca Nation of Indians. We will be sure to forward you any responses to this consultation.

Please review the enclosed graphics, reports, and information provided in this letter regarding US-VISIT's implementation of the Increment 2C POC. If you determine that the reports are adequate, and agree with the finding of "no historic properties affected," please indicate your concurrence by signing below. If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Myer Drive  
Arlington, VA 22209

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Signature for SHPO Concurrence

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Date

- c. Commissioner Bernadette Castro – without enclosures
- Jim Oberg, General Services Administration – without enclosures
- Caroline Alderson, General Services Administration
- Lisa Folb, Michael Baker Jr., Inc.





# Homeland Security

Ms. Kathleen Mitchell  
Tribal Historic Preservation Officer  
Seneca-Iroquois National Museum  
794-814 Broad St.  
Salamanca, NY 14779

**RE: Increment 2C Proof of Concept  
Section 106 Consultation  
“no historic properties affected”**

Dear Ms. Mitchell:

The United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program, a program within the Department of Homeland Security, has developed a preliminary plan (Increment 2C Proof of Concept [POC]) to install new technology at the busiest Land Ports of Entry (LPOEs). Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for qualifying visitors, and will facilitate the capture of information regarding the entry and exit of these visitors into and out of the United States. Prior to implementing this technology at all 50 of the busiest LPOEs, US-VISIT will test the concepts by installing the technology at five LPOEs on the Northern and Southern Borders.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

A typical configuration for the RF equipment placement for the Increment 2C POC is that they will be affixed to two steel light poles approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. The light poles, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas, directed inward toward the vehicles, are in what is referred to as the 'side-fire' position. Another option is to attach the equipment to an overhead gantry, either within an existing overhead structure or on a new metal gantry.

At this time, we are able to present you with a description of the undertaking, and request that you take this information into account while reviewing our recommendation of effect. The Increment 2C POC will be implemented at the Alexandria Bay/Thousand Island LPOE in New York.

Enclosed are several graphics showing the plans for the undertaking (graphics labeled Inbound and Outbound Routings), and visualizations of the new installations. The installation of the Increment 2C infrastructure is primarily focused on running wiring from the main buildings to the external structures in the travel lanes. The RF readers will be installed on poles immediately in front of the existing equipment. A new metal gantry will be installed at the outbound lanes.

To evaluate whether or not historic properties may be present at the Alexandria Bay/Thousand Island LPOE, US-VISIT initiated efforts to conduct cultural resources assessments. It was determined that there was insufficient undisturbed area at the Alexandria Bay/Thousand Island LPOE to warrant archaeological inventory. The results of the structure evaluations are presented in the enclosed report *Evaluation of Buildings & Structures at Thousand Island (THO) Land Port of Entry*. No historic properties were recorded at the Alexandria Bay/Thousand Island LPOE.

As no historic properties were identified within the APE of the Alexandria Bay/Thousand Island LPOE US-VISIT recommends that the project proceeds with a finding of "no historic properties affected."

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with US-VISIT's eligibility recommendations and recommendation of project effect, please indicate your concurrence by signing below. At this time, US-VISIT is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, US-VISIT would make a good faith effort to address any concerns. However, such consultation would not necessitate a reconsideration of this recommendation.

If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Myer Drive  
Arlington, VA 22209

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Signature for SHPO Concurrence

---

Date

Enclosures

- c. Jim Oberg, General Services Administration – without enclosures  
Caroline Alderson, General Services Administration  
Lisa Folb, Michael Baker Jr., Inc.



# Homeland Security

Allyson Brooks, Ph.D.  
State Historic Preservation Officer  
Office of Archaeology & Historic Preservation  
1063 S. Capitol Way, Suite 106  
PO Box 48343  
Olympia, WA 98504-8343

**RE: Increment 2C Proof of Concept  
Section 106 Consultation  
“no historic properties affected”**

Dear Dr. Brooks:

As you are aware, the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program has been working on a plan (Increment 2C Proof of Concept [POC]) to install new technology at five land ports of entry (LPOEs) on the northern and southern borders. Initial consultation outlining the scope, area of potential effect (APE), and consulting parties was sent to your office previously (Mahoney to Brooks March 22, 2005). We would like to thank you for your response to our initial consultation letter. At this time, we are able to present you with a description of the undertaking, and request that you take this information into account while reviewing our recommendation of effect.

The Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for in-scope travelers, and will facilitate the capture of information regarding the entry and exit of these visitors into and out of the United States. The Increment 2C POC will be implemented at the Pacific Highway-Blaine (Pacific Highway) and Peace Arch-Blaine (Blaine) LPOEs.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

Enclosed are several graphics showing the plans for the undertaking (graphics labeled Inbound and Outbound Routings), and visualizations of the new installations. The installation of the Increment 2C infrastructure is primarily focused on running wiring from the main buildings to the external structures in the travel lanes. The inbound travel lanes RF readers at the Pacific Highway and Blaine LPOEs will be installed on poles, on top of existing concrete barriers, immediately in front of the exiting equipment. The RF

readers on outbound lanes will be installed on metal gantries. There is an existing metal gantry at Pacific Highway and an additional new gantry will be installed at the outbound lane to the east. At Blaine, a new metal gantry will be installed to the east of the LPOE main building.

To evaluate whether or not historic properties may be present at the Pacific Highway and Blaine LPOEs, US-VISIT initiated efforts to conduct cultural resources assessments. It was determined that there was insufficient undisturbed area at the Pacific Highway LPOE to warrant archaeological inventory and an archaeological inventory for the Blaine LPOE was already available. The results of the structure evaluations are presented in the enclosed report *Evaluation of Buildings & Structures at Blaine Peace Arch (BLA) and Blaine Pacific Highway (PHY) Land ports of Entry* and the archaeological inventory of Blaine is reported in *Historical and Cultural Resources Report for the Peace Arch Port of Entry Redevelopment Project, Blaine, Washington*.

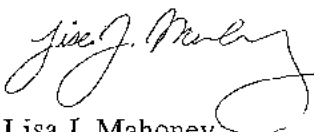
No historic properties were recorded at the Pacific Highway LPOE. The Blaine LPOE is adjacent to the Peace Arch which is listed on the National and State Registers of Historic Places. The gantry to be installed at Blaine is the standard Washington State Department of Transportation design and matches a similar gantry that is further to the south of the LPOE. The gantry will not be visible from the Peace Arch. The visible elements of the installation will not impact the integrity of the historic structure.

As no historic properties were identified within the APE of the Pacific Highway LPOE, and installation of the equipment at Blaine will not impact the integrity of the historic property, US-VISIT recommends that the project proceeds with a finding of “no historic properties affected.”

We are conducting concurrent consultation with the following Native American Tribes: Lummi Nation, the Nooksack Reservation, the Upper Skagit Tribal Council. We will be sure to forward you any responses to this consultation.

Please review the enclosed graphics, reports, and information provided in this letter regarding US-VISIT's implementation of the Increment 2C POC. If you determine that the reports are adequate, and agree with the finding of "no historic properties affected," please indicate your concurrence by signing below. If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Myer Drive  
Arlington, VA 22209

---

Signature for SHPO Concurrence

Date

- c. Jim Oberg, General Services Administration – without enclosures  
Caroline Alderson, General Services Administration  
Lisa Folb, Michael Baker Jr., Inc.



# Homeland Security

Mr. Scott Schuyler  
Cultural Specialist  
Upper Skagit Tribal Council  
25944 Community Plaza  
Sedro Woolley, WA 98284

**RE: Increment 2C Proof of Concept  
Section 106 Consultation  
"no historic properties affected"**

Dear Mr. Schuyler:

The United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program, a program within the Department of Homeland Security, has developed a preliminary plan (Increment 2C Proof of Concept [POC]) to install new technology at the busiest Land Ports of Entry (LPOEs). Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for qualifying visitors, and will facilitate the capture of information regarding the entry and exit of these visitors into and out of the United States. Prior to implementing this technology at all 50 of the busiest LPOEs, US-VISIT will test the concepts by installing the technology at five LPOEs on the Northern and Southern Borders.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

A typical configuration for the RF equipment placement for the Increment 2C POC is that they will be affixed to two steel light poles approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. The light poles, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas, directed inward toward the vehicles, are in what is referred to as the 'side-fire' position. Another option is to attach the equipment to an overhead gantry, either within an existing overhead structure or on a new metal gantry.

At this time, we are able to present you with a description of the undertaking, and request that you take this information into account while reviewing our recommendation of effect. The Increment 2C POC will be implemented at the Pacific Highway-Blaine (Pacific Highway) and Peace Arch-Blaine (Blaine) LPOEs in Washington.

Enclosed are several graphics showing the plans for the undertaking (graphics labeled Inbound and Outbound Routings), and visualizations of the new installations. The

installation of the Increment 2C infrastructure is primarily focused on running wiring from the main buildings to the external structures in the travel lanes. The inbound travel lanes RF readers at the Pacific Highway and Blaine LPOEs will be installed on poles, on top of existing concrete barriers, immediately in front of the exiting equipment. The RF readers on outbound lanes will be installed on metal gantries. There is an existing metal gantry at Pacific Highway and an additional new gantry will be installed at the outbound lane to the east. At Blaine, a new metal gantry will be installed to the east of the LPOE main building.

To evaluate whether or not historic properties may be present at the Pacific Highway and Blaine LPOEs, US-VISIT initiated efforts to conduct cultural resources assessments. It was determined that there was insufficient undisturbed area at the Pacific Highway LPOE to warrant archaeological inventory and an archaeological inventory for the Blaine LPOE was already available. The results of the structure evaluations are presented in the enclosed report *Evaluation of Buildings & Structures at Blaine Peace Arch (BIA) and Blaine Pacific Highway (PHY) Land ports of Entry* and the archaeological inventory of Blaine is reported in *Historical and Cultural Resources Report for the Peace Arch Port of Entry Redevelopment Project, Blaine, Washington*.

No historic properties were recorded at the Pacific Highway LPOE. The Blaine LPOE is adjacent to the Peace Arch which is listed on the National and State Registers of Historic Places. The gantry to be installed at Blaine is the standard Washington State Department of Transportation design and matches a similar gantry that is further to the south of the LPOE. The gantry will not be visible from the Peace Arch. The visible elements of the installation will not impact the integrity of the historic structure.

As no historic properties were identified within the APE of the Pacific Highway LPOE, and installation of the equipment at Blaine will not impact the integrity of the historic property, US-VISIT recommends that the project proceeds with a finding of "no historic properties affected."

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with US-VISIT's eligibility recommendations and recommendation of project effect, please indicate your concurrence by signing below. At this time, US-VISIT is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, US-VISIT would make a good faith effort to address any concerns. However, such consultation would not necessitate a reconsideration of this recommendation.



If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Myer Drive  
Arlington, VA 22209

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Signature for SHPO Concurrence

---

Date

Enclosures

- c. Jim Oberg, General Services Administration - without enclosures
- Caroline Alderson, General Services Administration
- Lisa Folb, Michael Baker Jr., Inc.



# Homeland Security

Mr. Peter Joseph  
Cultural Specialist  
Nooksack Reservation  
6750 Mission Road  
Emerson, WA 98247

**RE: Increment 2C Proof of Concept  
Section 106 Consultation  
“no historic properties affected”**

Dear Mr. Joseph:

The United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program, a program within the Department of Homeland Security, has developed a preliminary plan (Increment 2C Proof of Concept [POC]) to install new technology at the busiest Land Ports of Entry (LPOEs). Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for qualifying visitors, and will facilitate the capture of information regarding the entry and exit of these visitors into and out of the United States. Prior to implementing this technology at all 50 of the busiest LPOEs, US-VISIT will test the concepts by installing the technology at five LPOEs on the Northern and Southern Borders.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

A typical configuration for the RF equipment placement for the Increment 2C POC is that they will be affixed to two steel light poles approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. The light poles, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas, directed inward toward the vehicles, are in what is referred to as the ‘side-fire’ position. Another option is to attach the equipment to an overhead gantry, either within an existing overhead structure or on a new metal gantry.

At this time, we are able to present you with a description of the undertaking, and request that you take this information into account while reviewing our recommendation of effect. The Increment 2C POC will be implemented at the Pacific Highway-Blaine (Pacific Highway) and Peace Arch-Blaine (Blaine) LPOEs in Washington.

Enclosed are several graphics showing the plans for the undertaking (graphics labeled Inbound and Outbound Routings), and visualizations of the new installations. The

installation of the Increment 2C infrastructure is primarily focused on running wiring from the main buildings to the external structures in the travel lanes. The inbound travel lanes RF readers at the Pacific Highway and Blaine LPOEs will be installed on poles, on top of existing concrete barriers, immediately in front of the existing equipment. The RF readers on outbound lanes will be installed on metal gantries. There is an existing metal gantry at Pacific Highway and an additional new gantry will be installed at the outbound lane to the east. At Blaine, a new metal gantry will be installed to the east of the LPOE main building.

To evaluate whether or not historic properties may be present at the Pacific Highway and Blaine LPOEs, US-VISIT initiated efforts to conduct cultural resources assessments. It was determined that there was insufficient undisturbed area at the Pacific Highway LPOE to warrant archaeological inventory and an archaeological inventory for the Blaine LPOE was already available. The results of the structure evaluations are presented in the enclosed report *Evaluation of Buildings & Structures at Blaine Peace Arch (BLA) and Blaine Pacific Highway (PHY) Land ports of Entry* and the archaeological inventory of Blaine is reported in *Historical and Cultural Resources Report for the Peace Arch Port of Entry Redevelopment Project, Blaine, Washington*.

No historic properties were recorded at the Pacific Highway LPOE. The Blaine LPOE is adjacent to the Peace Arch which is listed on the National and State Registers of Historic Places. The gantry to be installed at Blaine is the standard Washington State Department of Transportation design and matches a similar gantry that is further to the south of the LPOE. The gantry will not be visible from the Peace Arch. The visible elements of the installation will not impact the integrity of the historic structure.

As no historic properties were identified within the APE of the Pacific Highway LPOE, and installation of the equipment at Blaine will not impact the integrity of the historic property, US-VISIT recommends that the project proceeds with a finding of "no historic properties affected."

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with US-VISIT's eligibility recommendations and recommendation of project effect, please indicate your concurrence by signing below. At this time, US-VISIT is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, US-VISIT would make a good faith effort to address any concerns. However, such consultation would not necessitate a reconsideration of this recommendation.

If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465 6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Myer Drive  
Arlington, VA 22209

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Signature for SHPO Concurrence

---

Date

Enclosures

- c. Jim Oberg, General Services Administration – without enclosures
- Caroline Alderson, General Services Administration
- Lisa Folb, Michael Baker Jr., Inc.



# Homeland Security

Ms. Mary Rossi  
Lummi Nation  
Tribal Historic Preservation Officer  
2616 Kwina Drive  
Bellingham, WA 98226-9298

**RE: Increment 2C Proof of Concept  
Section 106 Consultation  
"no historic properties affected"**

Dear Ms. Rossi:

The United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program, a program within the Department of Homeland Security, has developed a preliminary plan (Increment 2C Proof of Concept [POC]) to install new technology at the busiest Land Ports of Entry (LPOEs). Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for qualifying visitors, and will facilitate the capture of information regarding the entry and exit of these visitors into and out of the United States. Prior to implementing this technology at all 50 of the busiest LPOEs, US-VISIT will test the concepts by installing the technology at five LPOEs on the Northern and Southern Borders.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

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At this time, we are able to present you with a description of the undertaking, and request that you take this information into account while reviewing our recommendation of effect. The Increment 2C POC will be implemented at the Pacific Highway-Blaine (Pacific Highway) and Peace Arch-Blaine (Blaine) LPOEs in Washington.

Enclosed are several graphics showing the plans for the undertaking (graphics labeled Inbound and Outbound Routings), and visualizations of the new installations. The

installation of the Increment 2C infrastructure is primarily focused on running wiring from the main buildings to the external structures in the travel lanes. The inbound travel lanes RF readers at the Pacific Highway and Blaine LPOEs will be installed on poles, on top of existing concrete barriers, immediately in front of the exiting equipment. The RF readers on outbound lanes will be installed on metal gantries. There is an existing metal gantry at Pacific Highway and an additional new gantry will be installed at the outbound lane to the east. At Blaine, a new metal gantry will be installed to the east of the LPOE main building.

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No historic properties were recorded at the Pacific Highway LPOE. The Blaine LPOE is adjacent to the Peace Arch which is listed on the National and State Registers of Historic Places. The gantry to be installed at Blaine is the standard Washington State Department of Transportation design and matches a similar gantry that is further to the south of the LPOE. The gantry will not be visible from the Peace Arch. The visible elements of the installation will not impact the integrity of the historic structure.

As no historic properties were identified within the APE of the Pacific Highway LPOE, and installation of the equipment at Blaine will not impact the integrity of the historic property, US-VISIT recommends that the project proceeds with a finding of "no historic properties affected."

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with US-VISIT's eligibility recommendations and recommendation of project effect, please indicate your concurrence by signing below. At this time, US-VISIT is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, US-VISIT would make a good faith effort to address any concerns. However, such consultation would not necessitate a reconsideration of this recommendation.

If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Myer Drive  
Arlington, VA 22209

\_\_\_\_\_  
Signature for SHPO Concurrence

\_\_\_\_\_  
Date

Enclosures

- c. Jim Oberg, General Services Administration – without enclosures  
Caroline Alderson, General Services Administration  
Lisa Folb, Michael Baker Jr., Inc.



# Homeland Security

**MAR 22 2005**

JoAnne Medley  
State Historic Preservation Office  
Arizona State Parks  
1300 W. Washington Road  
Phoenix, AZ 85007

Dear Ms. Medley:

As you are aware, the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program has been working on a plan (Increment 2C Proof of Concept [POC]) to install new technology at five land ports of entry (LPOEs) on the northern and southern borders. The Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for in-scope travelers, and will facilitate the capture of information regarding the entry and exit of these visitors in to and out of the United States.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

US-VISIT has determined how the Increment 2C POC will be implemented at the LPOEs, however, the actual installation at each specific LPOE is based on existing LPOE infrastructure and has not been finalized for each of the five LPOEs. At this time, it is possible to provide you with a conceptual description of the undertaking, a definition of the area of potential effect (APE), and a list of intended consulting parties.

The enclosed figures serve to illustrate the intended installation of equipment for the RF readers at the LPOEs. A possible configuration, as shown in Figure 1 could include two steel light poles fixed approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. The light poles, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas, directed inward toward the vehicles, are in what is referred to as the 'side-fire' position. Figure 2 provides a close-up view of the vehicle exit lanes. Figures 1 and Figure 2 are general schematic renderings of the proposed configuration of the undertaking, the actual configuration may vary among the LPOEs depending on the infrastructure available at each LPOE.

In each location the intent would be to locate the POC equipment in such a manner as to:

1. Not allow a vehicle to turn back on the exit side after moving through the tag detection area.
2. Configure pedestrian primary lanes in a manner that accommodates all pedestrian travelers. Pedestrian in-scope travelers will not be required to enter or exit through designated lanes.



3. Make maximum use of existing infrastructure on both entry and exit lanes.
4. In cases where overhead antennas (above the vehicle) are also required, mount at least 16 feet away from any side-fire antennas to minimize interference.
5. On the entry side, mount the antenna(s) as far ahead of the primary inspection booth as reasonable, in order to provide the Customs and Border Protection (CBP) Officer time to retrieve the traveler's information prior to the inspection. This placement will be dependent on site-specific constraints at each of the LPOEs.

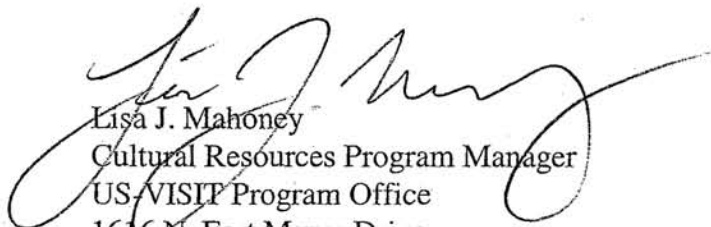
The APE for this undertaking is defined as the limits of the LPOE facility and the area adjacent to the facility that is within line-of-sight of the LPOE. The Increment 2C POC will be installed at the Nogales and Mariposa LPOEs. Figure 3 and 4 show the boundaries of the LPOE facilities and the defined APE for the Nogales East and Mariposa-Nogales West LPOEs respectively.

We have conducted cultural resource fieldwork at the LPOEs and are in the process of preparing reports on the findings. We will be forwarding you a copy of the reports and recommendations of effect once we have a finalized description of the undertaking at each LPOE. We are also in the process of completing an Environmental Assessment (EA) for this action; copies of the Draft EA are available via the following website: [www.us-visitfacility.us](http://www.us-visitfacility.us).

Our intent is to conduct consultation with your office, the General Services Administration, which owns the LPOE property, and the following Native American Tribes: the Hopi Tribe, the San Carlos Apache Tribe, the Tohono O'odham Nation, and the White Mountain Apache Tribe.

Please review the enclosed graphics and information provided in this letter regarding US-VISIT's implementation of the Increment 2C POC. If you agree with the definition of the area of potential effect and consulting parties, please indicate your concurrence by signing below. If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Meyer Drive  
Arlington, VA 22209

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Signature for SHPO Concurrence

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Date

Enclosures

cc: Lisa Folb – Michael Baker Jr., Inc.



# Homeland Security

**MAR 22 2005**

Ruth Pierpont  
Bureau of Field Services  
NY State Parks, Recreation and Historic Preservation  
Peebles Island PO 189  
Waterford, NY 12188-0189

Dear Ms. Pierpont:

As you are aware, the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program has been working on a plan (Increment 2C Proof of Concept [POC]) to install new technology at five land ports of entry (LPOEs) on the northern and southern borders. The Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for in-scope travelers, and will facilitate the capture of information regarding the entry and exit of these visitors in to and out of the United States.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

US-VISIT has determined how the Increment 2C POC will be implemented at the LPOEs, however, the actual installation at each specific LPOE is based on existing LPOE infrastructure and has not been finalized for each of the five LPOEs. At this time, it is possible to provide you with a conceptual description of the undertaking, a definition of the area of potential effect (APE), and a list of intended consulting parties.

The enclosed figures serve to illustrate the intended installation of equipment for the RF readers at the LPOEs. A possible configuration, as shown in Figure 1 could include two steel light poles fixed approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. The light poles, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas, directed inward toward the vehicles, are in what is referred to as the 'side-fire' position. Figure 2 provides a close-up view of the vehicle exit lanes. Figures 1 and 2 are general schematic renderings of the proposed configuration of the undertaking, the actual configuration may vary among the LPOEs depending on the infrastructure available at each LPOE.

In each location the intent would be to locate the POC equipment in such a manner as to:

1. Not allow a vehicle to turn back on the exit side after moving through the tag detection area.
  2. Configure pedestrian primary lanes in a manner that accommodates all pedestrian travelers.
- Pedestrian in-scope travelers will not be required to enter or exit through designated lanes.

3. Make maximum use of existing infrastructure on both entry and exit lanes.
4. In cases where overhead antennas (above the vehicle) are also required, mount at least 16 feet away from any side-fire antennas to minimize interference.
5. On the entry side, mount the antenna(s) as far ahead of the primary inspection booth as reasonable, in order to provide the Customs and Border Protection (CBP) Officer time to retrieve the traveler's information prior to the inspection. This placement will be dependent on site-specific constraints at each of the LPOEs.

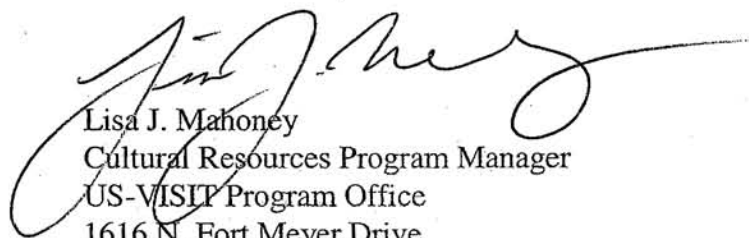
The APE for this undertaking is defined as the limits of the LPOE facility and the area adjacent to the facility that is within line-of-sight of the LPOE. The Increment 2C POC will be installed at the Alexandria Bay/Thousand Island LPOE. Figure 3 shows the boundary of the LPOE facility and the defined APE for the Alexandria Bay/Thousand Island LPOE.

We have conducted cultural resource fieldwork at the LPOEs and are in the process of preparing reports on the findings. We will be forwarding you a copy of the reports and recommendations of effect once we have a finalized description of the undertaking at each LPOE. We are also in the process of completing an Environmental Assessment (EA) for this action; copies of the Draft EA are available via the following website: [www.us-visitfacility.us](http://www.us-visitfacility.us).

Our intent is to conduct consultation with your office, the General Services Administration, which owns the LPOE property, and the Seneca Nation of Indians.

Please review the enclosed graphics and information provided in this letter regarding US-VISIT's implementation of the Increment 2C POC. If you agree with the definition of the area of potential effect and consulting parties, please indicate your concurrence by signing below. If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Meyer Drive  
Arlington, VA 22209

\_\_\_\_\_  
Signature for SHPO Concurrence

\_\_\_\_\_  
Date

Enclosures

cc: Commissioner Bernadette Castro  
Lisa Folb -- Michael Baker Jr., Inc.



# Homeland Security

MAR 22 2005

Allyson Brooks, Ph.D.  
State Historic Preservation Officer  
Office of Archaeology & Historic Preservation  
1063 S. Capitol Way, Suite 106  
PO Box 48343  
Olympia, WA 98504-8343

Dear Dr. Brooks:

As you are aware, the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program has been working on a plan (Increment 2C Proof of Concept [POC]) to install new technology at five land ports of entry (LPOEs) on the northern and southern borders. The Increment 2C POC is intended to enable the automatic, passive, and remote access of biographic and biometric data for in-scope travelers, and will facilitate the capture of information regarding the entry and exit of these visitors in to and out of the United States.

US-VISIT selected a process where travelers are issued an automatic identifier (a-ID) that emits a radio frequency (RF) signal which can be picked up by RF readers as the traveler enters or exits the LPOE. Higher power antennas for vehicle exit and bus lane entry and lower power for vehicle entry and pedestrian entry and exit will be installed to read the a-ID.

US-VISIT has determined how the Increment 2C POC will be implemented at the LPOEs, however, the actual installation at each specific LPOE is based on existing LPOE infrastructure and has not been finalized for each of the five LPOEs. At this time, it is possible to provide you with a conceptual description of the undertaking, a definition of the area of potential effect (APE), and a list of intended consulting parties.

The enclosed figures serve to illustrate the intended installation of equipment for the RF readers at the LPOEs. A possible configuration, as shown in Figure 1 could include two steel light poles fixed approximately 150 feet from the start of the tag detection area, one on each outside edge of the lanes. The light poles, which will support the antennas/readers, will be directed toward the vehicles and offset from each other to avoid interference. The antennas, directed inward toward the vehicles, are in what is referred to as the 'side-fire' position. Figure 2 provides a close-up view of the vehicle exit lanes. Figures 1 and 2 are general schematic renderings of the proposed configuration of the undertaking, the actual configuration may vary among the LPOEs depending on the infrastructure available at each LPOE.

In each location the intent would be to locate the POC equipment in such a manner as to:

1. Not allow a vehicle to turn back on the exit side after moving through the tag detection area.
  2. Configure pedestrian primary lanes in a manner that accommodates all pedestrian travelers.
- Pedestrian in-scope travelers will not be required to enter or exit through designated lanes.

3. Make maximum use of existing infrastructure on both entry and exit lanes.
4. In cases where overhead antennas (above the vehicle) are also required, mount at least 16 feet away from any side-fire antennas to minimize interference.
5. On the entry side, mount the antenna(s) as far ahead of the primary inspection booth as reasonable, in order to provide the Customs and Border Protection (CBP) Officer time to retrieve the traveler's information prior to the inspection. This placement will be dependent on site-specific constraints at each of the LPOEs.

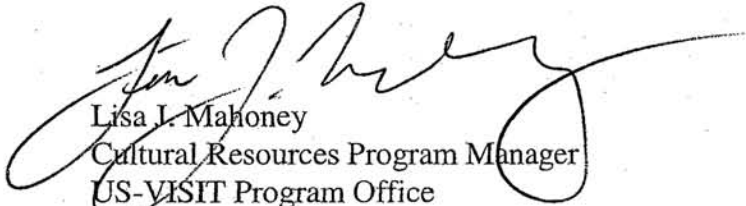
The APE for this undertaking is defined as the limits of the LPOE facility and the area adjacent to the facility that is within line-of-sight of the LPOE. The Increment 2C POC will be installed at the Pacific Highway-Blaine and Peach Arch-Blaine LPOEs. Figures 3 and 4 show the boundaries of the LPOE facilities and the defined APE for the Pacific Highway-Blaine and Peach Arch-Blaine LPOEs respectively.

We have conducted cultural resource fieldwork at the LPOEs and are in the process of preparing reports on the findings. We will be forwarding you a copy of the reports and recommendations of effect once we have a finalized description of the undertaking at each LPOE. We are also in the process of completing an Environmental Assessment (EA) for this action; copies of the Draft EA are available via the following website: [www.us-visitfacility.us](http://www.us-visitfacility.us).

Our intent is to conduct consultation with your office, the General Services Administration, which owns the LPOE property, and the following Native American Tribes: Lummi Nation, the Nooksack Reservation, the Upper Skagit Tribal Council.

Please review the enclosed graphics and information provided in this letter regarding US-VISIT's implementation of the Increment 2C POC. If you agree with the definition of the area of potential effect and consulting parties, please indicate your concurrence by signing below. If you have any questions, or would like to discuss this matter further, please call me at 202-298-5245 (office) or 202-465-6839 (cell).

Sincerely,



Lisa J. Mahoney  
Cultural Resources Program Manager  
US-VISIT Program Office  
1616 N. Fort Meyer Drive  
Arlington, VA 22209

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Signature for SHPO Concurrence

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Date

Enclosure

cc: Lisa Folb – Michael Baker Jr., Inc.





STATE OF WASHINGTON

## Office of Archaeology and Historic Preservation

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March 30, 2005

Ms. Lisa J. Mahoney  
US-VISIT Program  
1616 N. Fort Meyer Drive  
Arlington, Virginia 22209

Re: Increment 2C POC Project  
Log No.: 033005-02-DHS

Dear Ms. Mahoney:

Thank you for contacting our office regarding the proposed US-VISIT Program's Increment 2C POC Project at the Blaine LPOEs in Whatcom County, Washington. We concur with your determination of the Area of Potential Effect (APE) as detailed in your letter and accompanying maps.

We look forward to receiving the results of your review, consultations with the concerned tribes and the findings of the professional cultural resources survey report. We would also appreciate receiving any correspondence or comments from concerned tribes or other parties that you receive as you consult under the requirements of 36CFR800.4(a)(4).

These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer in compliance with the Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations 36CFR800.4. Should additional information become available, our assessment may be revised, including information regarding historic properties that have not yet been identified. Thank you for the opportunity to comment and we look forward to receiving the reports on the results of your investigations.

Sincerely,

Robert G. Whitlam, Ph.D.  
State Archaeologist  
(360)586-3080  
email: [robw@cted.wa.gov](mailto:robw@cted.wa.gov)

**APPENDIX D**

**AIR QUALITY**



**APPENDIX D -- AIR QUALITY**

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## 1.0 AIR QUALITY

With respect to air quality, the five Land Ports of Entry (LPOEs) were examined based on their conformity status and possible changes as a result of future U.S. Visitor and Immigrant Status Indicator Technology (US-VISIT) potential undertakings (i.e., Proposed Actions). US-VISIT has conducted detailed air quality analyses for comprehensive and hypothetically unrealistic worst-case conditions resulting from US-VISIT undertakings (herein defined as hypothetical and very conservative worst case conditions). A highly conservative approach was utilized, whereby air quality environment changes were analyzed for scenarios that would vastly exceed any likely future condition at a LPOE as a result of implementing a US-VISIT undertaking. This methodology utilized a practical and proactive model to evaluate potential air quality impacts as a result of potential US-VISIT undertakings.

Generally, for National Environmental Policy Act (NEPA) purposes, the assessment identified the potential of a US-VISIT action to cause or contribute to a new air quality violation, increase the frequency or severity of an existing violation (if applicable), or delay the timely attainment of the air quality standards in nonattainment areas. For conformity purposes, it demonstrated whether the proposed implementation will or will not cause a conformity determination issue (e.g., lapse, attainment status designations, etc.), and if it caused a significant increase in the emissions totals, where it might exceed an established emissions budget or pass a build condition versus no-build condition test. By analyzing these "hypothetical and very conservative worst case condition" scenarios, the study provided a scientific basis for US-VISIT planning initiatives and subsequent support and documentation for evaluating potential impacts/effects to air quality due to a Proposed Action such as that proposed for the Increment 2C Proof of Concept (POC).

The predicted results of these hypothetical conditions are beyond the parameters of potential US-VISIT undertakings and assumed a 10 second increase in processing time from current conditions. The existing baseline traffic condition was derived from on-site LPOE traffic studies and BorderWizard modeling. The very conservative worst case condition was applied to the BorderWizard traffic modeling and then applied to the air quality microscale model (CAL3QHC). In fact, the processing time will likely be faster in the future with the implementation of US-VISIT from procedural familiarity and technology that can improve the average verification time of people crossing the borders.

The following sections summarize the affected environment and environmental consequences resulting from the implementation of the hypothetical and very conservative worst case condition (which exceed the parameters of the Increment 2C POC) at each of the five selected LPOEs. The years 2005 and 2015 were run for the air quality task where applicable. The year 2005 corresponds to the approximate commencement date of any revised US-VISIT procedures at LPOEs and 2015 corresponds to the current and likely future U.S. Environmental Protection Agency (EPA) conformity analysis year.

Although the Increment 2C POC is being implemented so as to not cause additional delays in the primary inspection process, this assessment assumed some initial delay (10 seconds per vehicle at primary inspection) for analytical purposes to show the hypothetical "no-build vs. build" scenario. Even with this 10 second delay, no significant impacts in air quality were predicted. As a result, the Proposed Action will not meaningfully change the air quality environment on either a microscale, regional, and cumulative level. In fact, as mentioned previously, the processing time will likely be faster over time with procedural familiarity. The following sections provide a summary of the results for the five LPOEs under study.

## 1.1 NOGALES EAST, ARIZONA

### 1.1.1 AFFECTED ENVIRONMENT

For the affected environment (existing condition), the EPA has designated attainment, nonattainment, maintenance, or other designations for the criteria pollutants under the National Ambient Air Quality Standards (NAAQS). Table 1 shows the current status of these pollutants.

**TABLE 1**  
**NAAQS CRITERIA POLLUTANT STATUS – NOGALES EAST**

Pollutant	Status	Additional Information
1-hour Ozone	Attainment	None
8-hour Ozone	Attainment	None
Carbon Monoxide	Attainment	None
Particulate Matter- PM <sub>10</sub>	Moderate nonattainment	Applies only to the Nogales planning area for the portions of the following Townships which are within the State of Arizona and lie east of 111 longitude: T23S, R13E T23S, R14E T24S, R13E T24S, R14E. Current EPA monitor trends in Santa Cruz County show that there have been several PM <sub>10</sub> exceedances of the Federal Standard. However, the emission sources have been identified as unpaved roads, cleared areas, paved roads, and emissions generated in Mexico. The current status for the PM <sub>10</sub> SIP is that the Nogales PM10 nonattainment area SIP was submitted to EPA on June 17, 1993 and demonstrates attainment "but for emissions emanating from outside the United States" (according to Section 179B of the Clean Air Act). The plan was determined complete by EPA Nov. 30, 1993; however, EPA has taken no further action on the plan.
Particulate Matter- PM <sub>2.5</sub>	Not applicable	Final Implementation Rules have not yet been established. Current EPA monitor trends in Santa Cruz County show that there have been zero (0) PM <sub>2.5</sub> design value* exceedances of the Federal Standard. No regional budget data is currently established or available, nor are any likely since there have been zero (exceedances).
Sulfur Dioxide	Attainment	None
Nitrogen Dioxide	Attainment	None
Lead	Attainment	None

\*design values are calculated differently for annual and daily standards. Nonetheless, neither value exceeded the standard.

Source: EPA

### 1.1.2 ENVIRONMENTAL CONSEQUENCES

Generally, none of the "hypothetical and very conservative worst case condition" scenarios had predicted NAAQS exceedances/impacts and none of the conforming and approved budgets (as applicable) were exceeded as a result of the US-VISIT actions (there are no budget or baselines for this area.). Overall, none of the predicted increases come close to creating either a budget or NAAQS impact. Thus, it is highly unlikely any potential US-VISIT undertaking will result in NAAQS impacts and no mitigation is warranted.

**1.1.2.1 2005/2015 Regional Analysis**

The LPOE is in a designated attainment area for Ozone (both the 1-hour and 8-hour), and carbon monoxide (CO). This analysis provides an experimental unrealistic worst-case condition that predicts changes in these pollutants. However, there is no required budget or baseline because the area has never been in nonattainment. Therefore, no Federal actions (i.e., CAA amendments) were required by EPA.

For Particulate Matter (with diameters less than 10  $\mu\text{m}$  [PM<sub>10</sub>]), the Nogales East PM<sub>10</sub> nonattainment area State Implementation Plan (SIP) was submitted to EPA on June 17, 1993 and demonstrates attainment "but for emissions emanating from outside the United States" (according to Section 179B of the Clean Air Act [CAA]). The plan was determined complete by EPA on Nov. 30, 1993; however, EPA has taken no further action on the plan. Table 2 and Figure 1 show the regional pollution burdens anticipated with US-VISIT and without (projected base) for the analysis years.

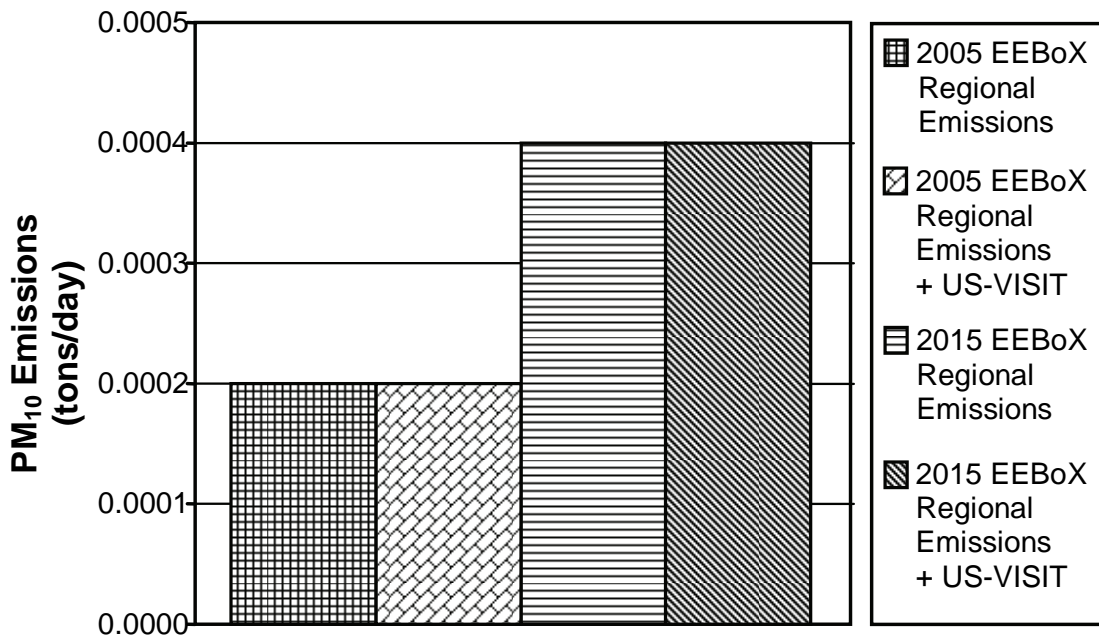
**TABLE 2  
HYPOTHETICAL SCENARIO EMISSIONS RESULTS - NOGALES EAST**

Pollutant	Budget/ Baseline*	In Tons/Day		
		Emissions Type	2005*	2015*
VOC	**	Projected Base →	0.0190	0.0570
		+ US-VISIT →	0.0020	0.0170
		Totals =	0.0210	0.0740
NOx	**	Projected Base →	0.0116	0.0168
		+ US-VISIT →	0.0002	0.0039
		Totals =	0.0118	0.0207
CO	**	Projected Base →	0.1530	0.1090
		+ US-VISIT →	0.0028	0.0088
		Totals =	0.1558	0.1178
PM10	**	Projected Base →	0.0002	0.0004
		+ US-VISIT →	<0.0001	<0.0001
		Totals =	0.0002	0.0004
PM2.5	**	Projected Base →	0.0001	0.0002
		+ US-VISIT →	<0.0001	<0.0001
		Totals =	0.0001	0.0002

\*2005 and 2015 values estimated from EEBox model. They are not to be considered official in any way shape or form and only to be considered for the worst-case comparison purposes. The results do not incorporate any type of pollution controls enacted through legislation, such as Tier II or sulfur content reduction. The results do not incorporate any type of pollution controls enacted through legislation, such as Tier II or sulfur content reduction.

\*\*There are no required regional budgets or projected basis for comparison.





**FIGURE 1 HYPOTHETICAL PM<sub>10</sub> ESTIMATES WITH US-VISIT NOGALES EAST**

\*Only PM<sub>10</sub> is shown in graph form since it was the only pollutant ever to be in nonattainment in this area. It has been a maintenance area since then as the SIP (1993) demonstrated attainment "but for emissions emanating from outside the United States" according to Section 179B of the Clean Air Act. The plan was determined complete by EPA Nov. 30, 1993. Other pollutants shown in tabular form in the previous table.

### 1.1.2.2 PM<sub>10</sub> Qualitative Analysis

Project level quantitative procedures to analyze PM<sub>10</sub> are not yet approved for use. Neither Federal Highway Administration (FHWA) nor EPA support the use of the California Line source emissions model v.3 Queuing Highway Capacity (CAL3QHC) model for particulate analysis for the following reasons:

- While the model does have that particular option for PM<sub>10</sub>, the model has never been validated against real world PM<sub>10</sub> data for this purpose. Thus, there is no indication that the model will produce meaningful results.
- EPA attempted to validate the model for PM<sub>10</sub> in the mid-1990's in order to implement the conformity rule's requirement for PM<sub>10</sub> hotspot modeling. However, this effort was unsuccessful, and both EPA and FHWA issued qualitative modeling guidance instead.
- In EPA's November 2003 proposed conformity rulemaking, there was suggestion to eliminate the qualitative PM<sub>10</sub> analysis requirement. Many comments were received to keep the analysis. Nonetheless, if PM<sub>10</sub> analysis would not be necessary for conformity, which is an explicit CAA requirement for ensuring that transportation projects will not cause violations of the air quality standards, it is subsequently difficult to see why it would be appropriate for NEPA analysis.

As such, with the qualitative requirements still in effect, the transportation conformity rule (40 CFR 93.116) states that any project-level conformity determination in a PM<sub>10</sub> nonattainment or maintenance area must document that no new local PM<sub>10</sub> violations will be created and the severity or number of existing violations will not be increased because of the project. Because the EPA has not released modeling guidance on how to perform quantitative PM<sub>10</sub> hot spot analysis, such quantitative analysis is not currently required (40 CFR 93.123(b)(4)).

However, if a quantitative analysis is not done, the demonstration required by 40 CFR 93.116 must be based on a qualitative consideration of local factors (40 CFR 93.123(b)(2)). A reasoned and logical explanation of why a hot spot would not be created or worsened is provided in the following paragraphs for project-level conformity determinations. This explanation is based on the analysis conducted based on FHWA's guidance for qualitative project level PM<sub>10</sub> hot spot analysis (2001).

Current EPA monitor trends in Santa Cruz County show that there have been several PM<sub>10</sub> exceedances of the Federal Standard. However, the emission sources have been identified as unpaved roads, cleared areas, paved roads, and emissions generated in Mexico. The current status for the PM<sub>10</sub> SIP is that the Nogales PM<sub>10</sub> nonattainment area SIP was submitted to EPA (June 17, 1993) and demonstrates attainment "but for emissions emanating from outside the United States" (according to Section 179B of the CAA). The plan was determined complete by EPA (November 30, 1993); however, EPA has taken no further action on the plan.

Currently, the only SIP documents for PM<sub>10</sub> in Arizona are for Bullhead City and Payson, none of which are near the Mexican border.

**1.1.2.3 PM<sub>2.5</sub> Qualitative Assessment**

Current EPA monitor trends in Santa Cruz County show that there have been zero (0) PM<sub>2.5</sub> exceedances of the Federal Standard. The predicted additional PM<sub>2.5</sub> with the proposed US-VISIT actions was less than 1/10,000<sup>th</sup> ton per day for both the 2005 and 2015 worst-case scenarios, respectively. No regional budget data is currently established or available, nor are any likely since there have been zero exceedances. Therefore, it is highly unlikely that there will ever be an impact as a result of a US-VISIT undertaking near this LPOE.

**1.1.2.4 CO Microscale Analysis**

Table 3 and Figure 2 show the predicted hypothetical and very conservative worst case CO concentrations. There were no predicted impacts in consequence of the assumed scenarios. Because of the fairly low overall traffic volumes at this LPOE, there was minimal, if any, change in the total CO concentrations for any US-VISIT scenario. Therefore, as a result of these model runs, it is highly unlikely that there will be a CO impact at any EPA-defined air quality receptor site near this LPOE as a result of a US-VISIT undertaking.

**TABLE 3  
CO EMISSIONS RESULTS - NOGALES EAST**

Carbon Monoxide Conservative Worst-Case Condition (including background)					
Scenario	Year	Season	Analysis Condition	Total CO Concentrations	
				1-hour	8-hour
1	2005	Winter	Base	2.8	2.5
2	2005	Winter	US-VISIT hypothetical and very conservative worst case condition	3.1	2.7
3	2015	Winter	Base	3.1	2.7
4	2015	Winter	US-VISIT hypothetical and very conservative worst case condition	3.3	2.9

1-Hour CO NAAQS = 35 ppm

8-Hour CO NAAQS = 9 ppm

Note 1: Four (4) scenarios were run with winter emission factor data as a worst-case scenario. Summer CO emission factors will always be less.

Note 2: totals include a 2.0 ppm 1-hour and 8-hour background, default because there are no CO monitors in Cochise and Santa Cruz counties.

Note 3: US-VISIT also adds 10 seconds to scenarios 2 & 4

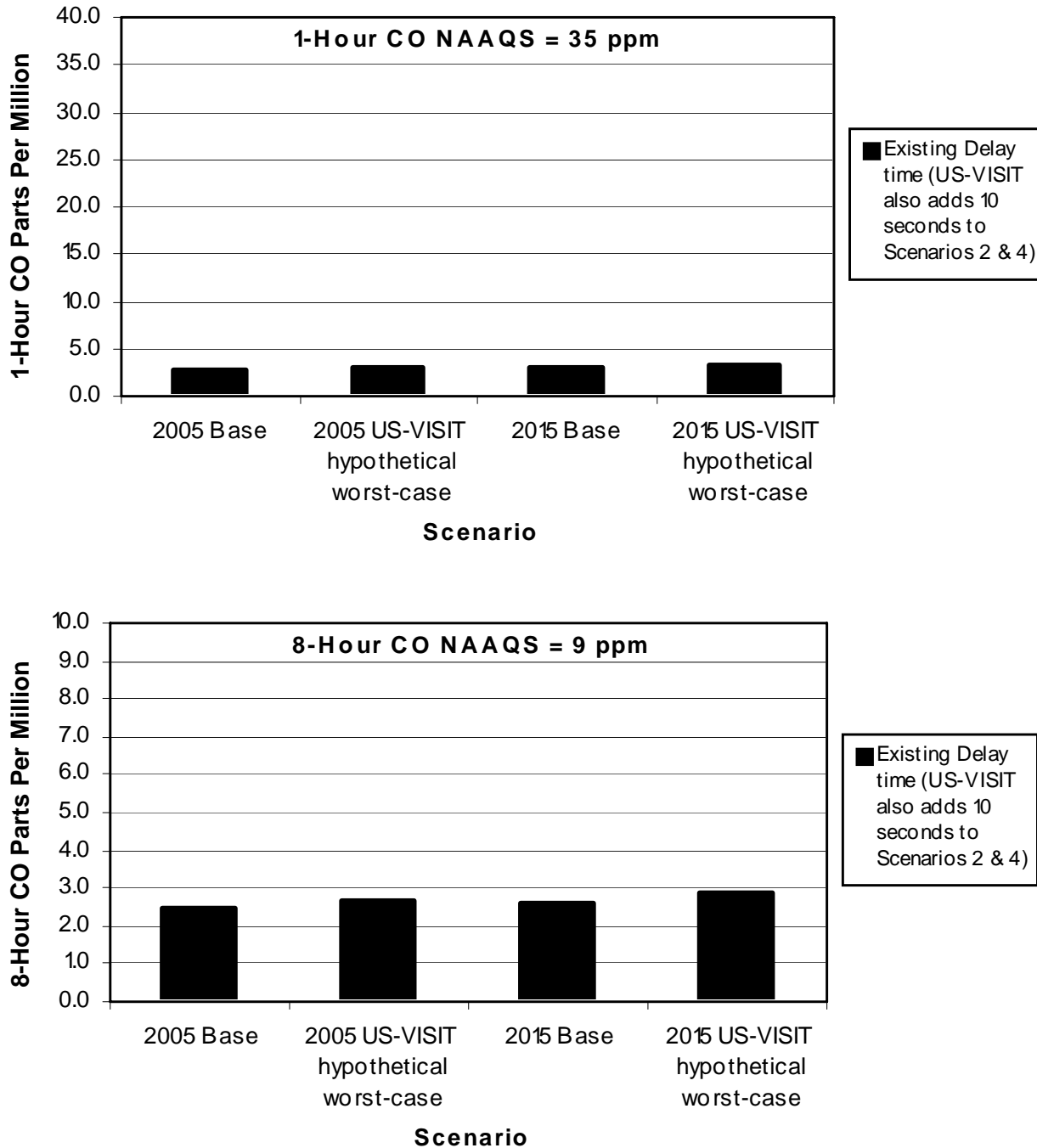


FIGURE 2 NOGALES EAST – 1-HOUR/8-HOUR CO CONCENTRATIONS BY SCENARIO

## 1.2 MARIPOSA – NOGALES WEST, ARIZONA

### 1.2.1 AFFECTED ENVIRONMENT

For the affected environment (existing condition), EPA has designated the following attainment, nonattainment, maintenance, or other designations for the criteria pollutants under the National Ambient Air Quality Standards (NAAQS). Table 4 shows the current status of these pollutants.

**TABLE 4**  
**NAAQS CRITERIA POLLUTANT STATUS – MARIPOSA – NOGALES WEST**

Pollutant	Status	Additional Information
1-hour Ozone	Attainment	None
8-hour Ozone	Attainment	None
Carbon Monoxide	Attainment	None
Particulate Matter- PM <sub>10</sub>	Moderate nonattainment	Applies only to the Nogales planning area for the portions of the following Townships which are within the State of Arizona and lie east of 111 longitude: T23S, R13E T23S, R14E T24S, R13E T24S, R14E. Current EPA monitor trends in Santa Cruz County show that there have been several PM <sub>10</sub> exceedances of the Federal Standard. However, the emission sources have been identified as unpaved roads, cleared areas, paved roads, and emissions generated in Mexico. The current status for the PM <sub>10</sub> SIP is that the Nogales PM <sub>10</sub> nonattainment area SIP was submitted to EPA on June 17, 1993 and demonstrates attainment "but for emissions emanating from outside the United States" (according to Section 179B of the Clean Air Act). The plan was determined complete by EPA Nov. 30, 1993; however, EPA has taken no further action on the plan.
Particulate Matter- PM <sub>2.5</sub>	Not applicable	Final Implementation Rules have not yet been established. Current EPA monitor trends in Santa Cruz County show that there have been zero (0) PM <sub>2.5</sub> design value* exceedances of the Federal Standard. No regional budget data is currently established or available, nor are any likely since there have been zero (exceedances).
Sulfur Dioxide	Attainment	None
Nitrogen Dioxide	Attainment	None
Lead	Attainment	None

\*design values are calculated differently for annual and daily standards. Nonetheless, neither value exceeded the standard.

Source: EPA

### 1.2.2 ENVIRONMENTAL CONSEQUENCES

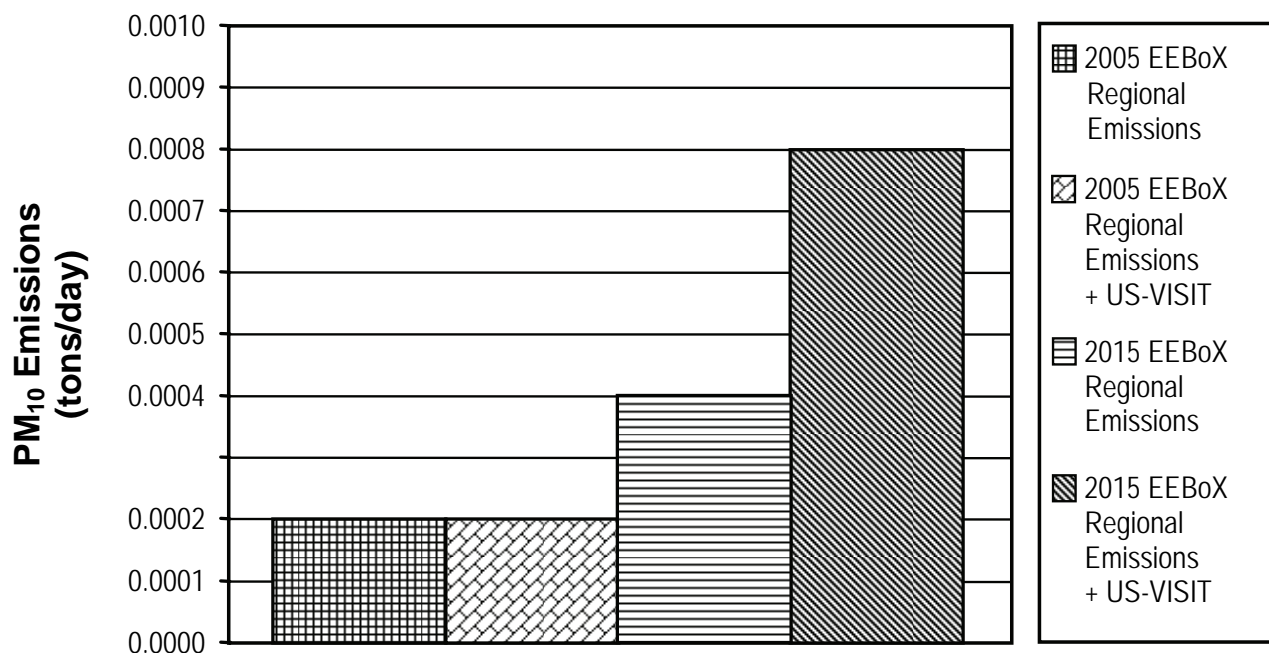
Overall, none of the "hypothetical and very conservative worst case condition" scenarios met or exceeded the conforming and approved budgets/baselines (as applicable) as a result of US-VISIT actions (there are no budget or baselines for this area. The nearest area that must still manage air quality conformity issues is Phoenix. Changes in the predicted experimental worst-case scenarios with US-VISIT actions were small. Table 5 and Figure 3 show the regional pollution burdens anticipated with US-VISIT and without (projected base) for the analysis years.

**TABLE 5**  
**HYPOTHETICAL SCENARIO EMISSIONS RESULTS - MARIPOSA – NOGALES WEST**

Pollutant	Budget/ Baseline*	In Tons/Day		
		Emissions Type	2005*	2015*
VOC	**	Projected Base →	0.0190	0.0570
		+ US-VISIT →	0.0008	0.0840
		Totals =	0.0198	0.1410
NOx	**	Projected Base →	0.0116	0.0168
		+ US-VISIT →	<0.0001	0.0170
		Totals =	0.0116	0.0338
CO	**	Projected Base →	0.1530	0.1090
		+ US-VISIT →	0.0243	0.1090
		Totals =	0.1773	0.2180
PM <sub>10</sub>	**	Projected Base →	0.0002	0.0004
		+ US-VISIT →	<0.0001	0.0004
		Totals =	0.0002	0.0008
PM <sub>2.5</sub>	**	Projected Base →	0.0001	0.0002
		+ US-VISIT →	<0.0001	0.0002
		Totals =	0.0001	0.0004

\*2005 and 2015 values estimated from EEBox model. They are not to be considered official in any way shape or form and only to be considered for the worst-case comparison purposes. The results do not incorporate any type of pollution controls enacted through legislation, such as Tier II or sulfur content reduction.

\*\*There are no required regional budgets or projected basis for comparison.



**FIGURE 3 HYPOTHETICAL PM<sub>10</sub> ESTIMATES WITH US-VISIT MARIPOSA – NOGALES WEST**

\*Only PM<sub>10</sub> is shown in graph form since it was the only pollutant ever to be in nonattainment in this area. It has been a maintenance area since then as the SIP (1993) demonstrated attainment "but for emissions emanating from outside the United States" according to Section 179B of the Clean Air Act. The plan was determined complete by EPA Nov. 30, 1993. Other pollutants shown in tabular form in the previous table.

**1.2.2.1 2005/2015 Regional Analysis**

The LPOE is in a designated attainment area for Ozone (both the 1-hour and 8-hour), and CO. This analysis provides an experimental, unrealistic worst-case condition that predicts changes in these pollutants. However, there is no required budget or baseline because the area has never been in nonattainment. Therefore, no federal actions were required.

For PM<sub>10</sub>, the Mariposa – Nogales West PM<sub>10</sub> nonattainment area SIP was submitted to EPA (June 17, 1993) and demonstrates attainment "but for emissions emanating from outside the United States" (according to Section 179B of the CAA). The plan was determined complete by EPA (November 30, 1993); however, EPA has taken no further action on the plan. Table 5 and Figure 3 show the regional pollution burdens anticipated with US-VISIT and without (projected base) for the analysis years.

**1.2.2.2 PM<sub>10</sub> Qualitative Analysis**

Project level quantitative procedures to analyze PM<sub>10</sub> are not yet approved for use. Neither FHWA nor EPA support the use of the CAL3QHC model for particulate analysis (as previously discussed for Nogales East, Arizona).

**1.2.2.3 PM<sub>2.5</sub> Qualitative Assessment**

Current EPA monitor trends in Santa Cruz County show that there have been zero (0) PM<sub>2.5</sub> exceedances of the Federal Standard. The predicted additional PM<sub>2.5</sub> with the proposed US-VISIT actions was less than 1/10,000<sup>th</sup> ton per day for both the 2005 and 2015 worst-case scenarios, respectively. No regional budget data is currently established or available, nor are any likely since there have been zero exceedances. Therefore, it is highly unlikely that there will ever be an impact as a result of US-VISIT actions near this LPOE.

**1.2.2.4 CO Microscale Analysis**

Table 6 and Figure 4 show the predicted hypothetical and very conservative worst case CO concentrations. There were no predicted impacts in consequence of the assumed scenarios. Because of the fairly low overall traffic volumes at this LPOE, there was minimal, if any, change in the total CO concentrations for any scenario. Therefore, as a result of these model runs, it is highly unlikely that there will ever be a CO impact at any EPA-defined air quality receptor site near this LPOE as a result of a US-VISIT undertaking.

**TABLE 6  
CO EMISSIONS RESULTS – MARIPOSA – NOGALES WEST**

Carbon Monoxide Conservative Worst-Case Condition (including background)					
Scenario	Year	Season	Analysis Condition	Total CO Concentrations	
				1-hour	8-hour
1	2005	Winter	Base	2.8	2.5
2	2005	Winter	US-VISIT hypothetical worse than worst-case	2.8	2.5
3	2015	Winter	Base	2.8	2.5
4	2015	Winter	US-VISIT hypothetical worse than worst-case	2.8	2.5

1-Hour CO NAAQS = 35 ppm

8-Hour CO NAAQS = 9 ppm

Note 1: Four (4) scenarios were run with winter emission factor data as a worst-case scenario. Summer CO emission factors will always be less.

Note 2: totals include a 2.0 ppm 1-hour and 8-hour background, default because there are no CO monitors in Cochise and Santa Cruz counties.

Note 3: US-VISIT also adds 10 seconds to scenarios 2 & 4

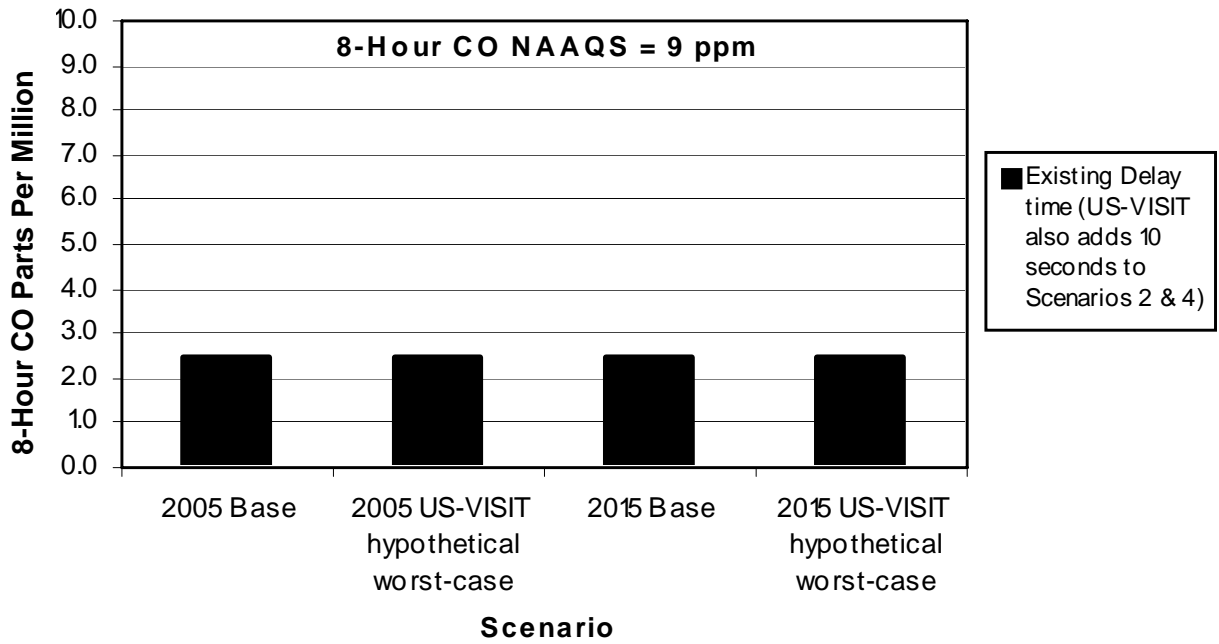
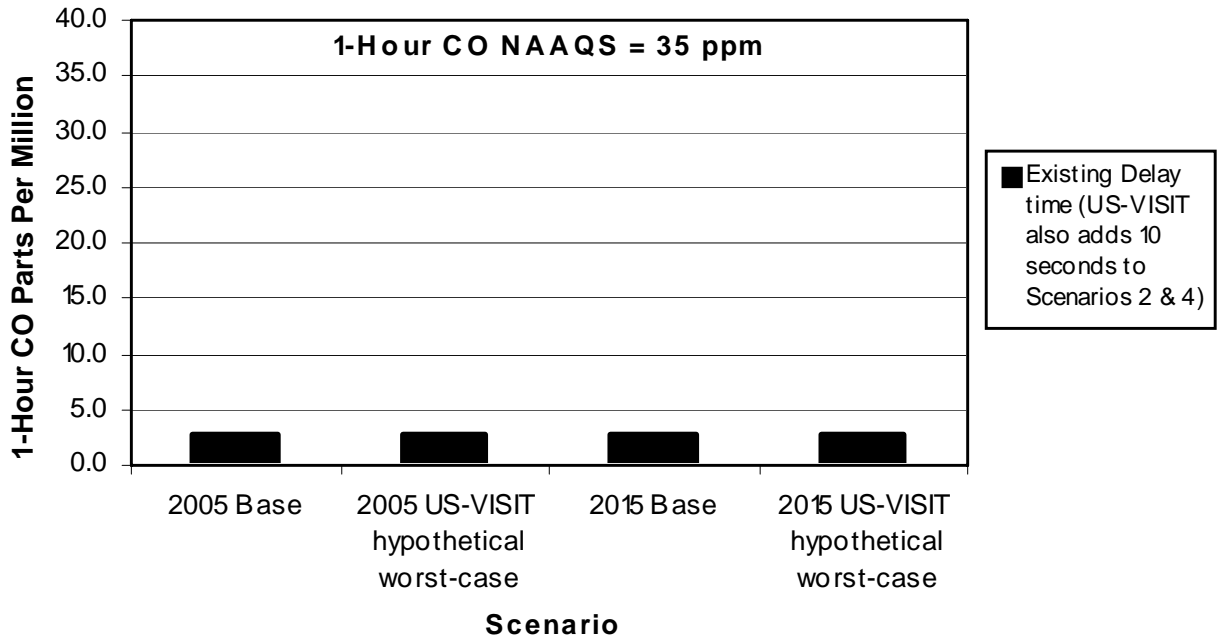


FIGURE 4 MARIPOSA - NOGALES WEST - 1-HOUR/8-HOUR CO CONCENTRATIONS BY SCENARIO



### 1.3 ALEXANDRIA BAY/THOUSAND ISLANDS, NEW YORK

#### 1.3.1 AFFECTED ENVIRONMENT

For the affected environment (existing condition), EPA has designated the following attainment, nonattainment, maintenance, or other designations for the criteria pollutants under the National Ambient Air Quality Standards (NAAQS). Table 7 shows the current status of these pollutants.

**TABLE 7**  
**NAAQS CRITERIA POLLUTANT STATUS – ALEXANDRIA BAY/THOUSAND ISLANDS**

Pollutant	Status	Additional Information
1-hour Ozone	Marginal Nonattainment	EPA will revoke this standard 1 year after the effective date of designating 8-hour areas (6/04). State Implementation Plan to stay in place until area attains the 8-hour standard or until required SIP update.
8-hour Ozone	Subpart 2 Moderate Nonattainment	In effect 1-year after the effective date of designating an 8-hour nonattainment area (6/04).
Carbon Monoxide	Attainment	None
Particulate Matter-PM <sub>10</sub>	Attainment	None
Particulate Matter-PM <sub>2.5</sub>	Not applicable	Final Implementation Rules have not yet been established. According to EPA's Monitor Trends Report, there are no monitors in Jefferson County, likely because it is not expected to be a problem.
Sulfur Dioxide	Attainment	None
Nitrogen Dioxide	Attainment	None
Lead	Attainment	None

Source: EPA.

#### 1.3.2 ENVIRONMENTAL CONSEQUENCES

Generally, implementation of Increment 2C POC should not affect the NAAQS or conformity. The nearest monitor is in Brownville, just west of Watertown. It is approximately 40-miles south of the LPOE. The LPOE is also not part of any Metropolitan Statistical Area (MSA) or Congested Metropolitan Statistical Area (CMSA).

##### 1.3.2.1 Regional Analysis

Under the 1-hour ozone standard, marginal nonattainment areas are not required to develop an attainment plan, maintenance plan, or attainment demonstration. However, if the area had a budget under the 1-hour standard, then it and the applicable budget tests continue to be required for 8 hour ozone conformity. As mentioned, the county is not part of an MSA or CMSA, thus there is no Long Range Plan (LRP) either. Furthermore, the 1-hour marginal status will be dropped (effective June 15, 2005).

There are various designation levels of nonattainment under the new 8-hour standard. As a designated Subpart 2 moderate nonattainment area under the new standard, no SIP is required yet for a conformity test for compliance. Any Transportation Improvement Plan (TIP) that includes a new/revised/rescheduled regionally significant nonexempt project will trigger a conformity test. If there is a new TIP and it does not include such a trigger (which the US-VISIT actions are not; i.e., this is not a trigger for a conformity test), then the area may assert that there have been no changes since the last TIP.

Since the Increment 2C POC is not expected to increase wait times, there should be no change in the regional emissions. Therefore, no further action is required. Furthermore, New York Department of Environmental Conservation (NYDEC) classification of the LPOE area is Level I. State regulations define Jefferson County under § 281.4 Level I as “all that area in Jefferson County not delineated as Levels III and II.” Levels III and II are bounded areas in various sections of Watertown and Carthage/West Carthage. For severity comparison purposes, Level IV applies to New York City.

### **1.3.2.2 *PM<sub>10</sub> Qualitative Analysis***

Though the area is in attainment for PM<sub>10</sub>, NEPA requires that it still be addressed. However, project level quantitative procedures to analyze PM<sub>10</sub> are not yet approved for use. Neither FHWA nor EPA support the use of the CAL3QHC model as previously discussed for Nogales East. As such, with the qualitative requirements still in effect, the transportation conformity rule (40 CFR 93.116) states that any project-level conformity determination in a PM<sub>10</sub> nonattainment or maintenance area must document that no new local PM<sub>10</sub> violations will be created and the severity or number of existing violations will not be increased because of the project. Because the EPA has not released modeling guidance on how to perform quantitative PM<sub>10</sub> hot spot analysis, such quantitative analysis is not currently required (40 CFR 93.123(b)(4)).

However, if a quantitative analysis is not done, the demonstration required by 40 CFR 93.116 must be based on a qualitative consideration of local factors (40 CFR 93.123(b)(2)). A reasoned and logical explanation of why a hot spot would not be created or worsened must be provided for project-level conformity determinations. This explanation is based on the analysis conducted based on FHWA's guidance for qualitative project level PM<sub>10</sub> hot spot analysis (2001). However, there are no PM<sub>10</sub> monitors in Jefferson County, so a comparison to actual levels versus the standard is not possible. Since a monitor was not originally warranted for placement in Jefferson County, an NAAQS impact is not likely.

### **1.3.2.3 *PM<sub>2.5</sub> Qualitative Assessment***

Final Implementation Rules have not yet been established. According to EPA's Monitor Trends Report, there are no PM<sub>2.5</sub> monitors. So, a NAAQS impact is not likely.

### **1.3.2.4 *CO Microscale Analysis***

Formal CO analysis was not modeled for this LPOE for two reasons. First, the area is in attainment for the CO standard and second; other nearby LPOE's analyzed in a separate report also did not show a CO NAAQS impact.

Still, NEPA requires that some form of evidence that a proposed action will not cause or contribute to a new air quality violation, increase the frequency or severity of an existing violation (if applicable), or delay the timely attainment of the air quality standards in nonattainment areas. Several state Department's of Transportation have written environmental policy that states if a similar project with similar characteristics and no impacts can be substantiated, then the results of “No NAAQS impact” can be applied to the analysis project.

US-VISIT has conducted detailed CO analyses for the nearby New York border LPOE's of Peace Bridge, Rainbow Bridge, Whirlpool Bridge and Lewiston-Queenston (PBB, RAI, WHL, and LEW). With the exception of WHL, all of these LPOE's had higher maximum peak hour traffic volumes than Alexandria Bay/Thousand Islands. None of these LPOE's exceeded the CO NAAQS even with a hypothetical triple time delay over existing as a hypothetical and very conservative worst case. As such, it is not expected that the Alexandria Bay/Thousand Islands LPOE will have CO NAAQS impacts. No further action is required.

## 1.4 PACIFIC HIGHWAY - BLAINE, WASHINGTON/PEACE ARCH - BLAINE, WASHINGTON

### 1.4.1 AFFECTED ENVIRONMENT

For the affected environment (existing condition) for both LPOEs, EPA has designated the following attainment, nonattainment, maintenance, or other designations for the criteria pollutants under the NAAQS. Table 8 shows the current status of these pollutants.

**TABLE 8  
NAAQS CRITERIA POLLUTANT STATUS –  
PACIFIC HIGHWAY – BLAINE AND PEACE ARCH – BLAINE**

Pollutant	Status	Additional Information
1-hour Ozone	Attainment	None
8-hour Ozone	Attainment	None
Carbon Monoxide	Attainment	None
Particulate Matter- PM <sub>10</sub>	Attainment	None
Particulate Matter- PM <sub>2.5</sub>	Not applicable	Final Implementation Rules have not yet been established. According to EPA's Monitor Trends Report, there have been zero (0) design value* exceedances recorded in Whatcom County at the monitor locations since the area started the PM <sub>2.5</sub> monitoring requirements and has been reporting data or has been discontinued in 2004.
Sulfur Dioxide	Attainment	None
Nitrogen Dioxide	Attainment	None
Lead	Attainment	None

\*design values are calculated differently for annual and daily standards. Nonetheless, neither value exceeded the standard.  
Source: EPA

### 1.4.2 ENVIRONMENTAL CONSEQUENCES

The implementation of Increment 2C POC at both LPOEs should not affect the NAAQS or conformity. The nearest monitors are in Custer and Bellingham, approximately 8 and 22 miles from the LPOEs respectively. Bellingham is part of an MSA, but the LPOE is not in the designated boundary. Whatcom County is outside the Seattle-Tacoma-Bremerton CMSA.

Essentially, with all NAAQS pollutants in attainment, there are no emission budgets. Regardless, since US-VISIT actions are being designed to not result in additional delays in the primary inspection process, there should be no change in pollution levels. Therefore, no impacts are anticipated.

#### 1.4.2.1 2005/2015 Regional Analysis

Both LPOEs are in an attainment area for all NAAQS pollutants and the area is not required to develop an attainment plan, maintenance plan, or attainment demonstration. There is no required budget or baseline because the area has never been in nonattainment. Therefore, no Federal actions were ever required. As previously discussed, the LPOEs are not part of an MSA or CMSA, so by definition there is no LRP either.

Since the implementation of Increment 2C POC at both LPOEs is not expected to increase wait times, there should be no change in regional emissions. Therefore, no further action is required.

#### 1.4.2.2 PM<sub>10</sub> Qualitative Analysis

Though the area is in attainment for PM<sub>10</sub>, NEPA requires that it still be addressed. However, project level quantitative procedures to analyze PM<sub>10</sub> are not yet approved for use. Neither FHWA nor EPA support the use of the CAL3QHC model as previously discussed for Nogales East. As such, with the qualitative requirements

still in effect, the transportation conformity rule (40 CFR 93.116) states that any project-level conformity determination in a PM<sub>10</sub> nonattainment or maintenance area must document that no new local PM<sub>10</sub> violations will be created and the severity or number of existing violations will not be increased because of the project. Because the EPA has not released modeling guidance on how to perform quantitative PM<sub>10</sub> hot spot analysis, such quantitative analysis is not currently required (40 CFR 93.123(b)(4)).

However, if a quantitative analysis is not done, the demonstration required by 40 CFR 93.116 must be based on a qualitative consideration of local factors (40 CFR 93.123(b)(2)). A reasoned and logical explanation of why a hot spot would not be created or worsened is provided in the following paragraphs for project-level conformity determinations. This explanation is based on the analysis conducted based on FHWA's guidance for qualitative project level PM<sub>10</sub> hot spot analysis (2001).

As such, the PM<sub>10</sub> monitors in Whatcom County show that the current data collections are only about 10% of the 24 hr standard and about 70% of the annual standard. An NAAQS impact is highly unlikely, especially since the trend from 1999 has shown a fairly regular decrease (16% and 93% of the respective standards in 1999).

#### **1.4.2.3 PM<sub>2.5</sub> Qualitative Assessment**

Final Implementation Rules have not yet been established. According to EPA's Monitor Trends Report, there have been zero (0) design value exceedances recorded in Whatcom County at the monitor locations since the area started the PM<sub>2.5</sub> monitoring requirements. An NAAQS impact is highly unlikely. These monitors show that the latest (2003) data collections are approximately 27% of the 24 hr standard and about 47% of the annual standard. An NAAQS impact at either LPOE is highly unlikely, since the trend from 1999 has demonstrated a fairly regular decrease (38% and 54% of the respective standards in 1999). Also, the PM<sub>2.5</sub> Monitor (#530730015 at Yew Street Center/2412 Yew Street in Bellingham) has no reported data and may have been discontinued.

#### **1.4.2.4 CO Microscale Analysis**

Formal CO analysis was not modeled for both the Peace Arch or Pacific Highway LPOE for two reasons. First, the area is in attainment for the CO standard and second, other LPOE's with worse traffic volumes and/or meteorological characteristics analyzed did not demonstrate a CO NAAQS impact.

Still, NEPA requires that some form of evidence that a Proposed Action will not cause or contribute to a new air quality violation, increase the frequency or severity of an existing violation (if applicable), or delay the timely attainment of the air quality standards in nonattainment areas. Several state Department's of Transportation have written environmental policy that states if a similar project with similar characteristics and no impacts can be substantiated, then the results of "No NAAQS impact" can be applied to the analysis project.

The US-VISIT Facilities group has conducted detailed CO analyses for the Buffalo, New York border LPOE's of Peace Bridge, Rainbow Bridge, Whirlpool Bridge, and Lewiston-Queenston (PBB, RAI, WHL, and LEW) and the Detroit, Michigan LPOE's of Port Huron, Ambassador Bridge, and the Windsor Tunnel (PHU, DCB, and DCT). With the exception of WHL, all of the modeled LPOE's had higher maximum peak hour traffic volumes than Pacific Highway and Peace Arch and are in more congested urban areas. None of the modeled LPOE's exceeded the CO NAAQS, even with a hypothetical triple time delay (i.e., hypothetical and very conservative worst case condition). As such, it is highly unlikely that any potential US-VISIT undertaking will result in CO NAAQS impacts at either LPOE. No further action is required.

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## APPENDIX E

### NOISE



**APPENDIX E – NOISE**

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## 1.0 NOISE

Potential noise impacts as a result of implementation of the Preferred Alternative at the five LPOEs were evaluated through the collection and evaluation of available data (including on-site field surveys, LPOE photos, aerial photos, and county population statistics) and by performing a generalized analysis of likely conditions to occur as a result of a US-VISIT undertaking for Increment 2C.

Many variables affect the total sound level environment such as normal neighborhood background noise, distance from source to receiver, temporal (duration of noise), time of day, distance between the source and noise receptor, vehicle speeds, number of vehicles, fleet mix, intervening terrain, buildings, trees, and the age and condition of the vehicles. For purposes of this analysis, conservative worst-case variable conditions were assumed.

The following information was also considered to further define the affected environment, including field interviews with LPOE personnel about past noise issues, the type of noise sensitive receptor land use (e.g., residences, churches, schools, parks), the diurnal (seasonal) changes in traffic as described by the LPOE personnel, the seasonal use of certain land use types (e.g., northern border parks were not expected to be occupied in the winter), the current maximum peak hour traffic volumes specific to the LPOE, and other odd events as reported by LPOE personnel.

For comparative purposes, Table 1 identifies state criteria levels used to identify exterior sound level impacts for residences, schools, churches, and parks. Approach criteria and substantial increase over existing criteria varies by state. Figure 1 provides a guide to common outdoor and indoor noise levels and Figure 2 depicts typical people perceptions to changes in sound. A typical person first perceives a change in the sound level environment with a 3 dBA $\pm$  variation, becomes aware of a noticeable change at 5 dBA  $\pm$ , and senses a doubling or halving at 10 dBA $\pm$ .

**TABLE 1**  
**STATE DOT SOUND LEVEL IMPACTS FOR RESIDENCES, SCHOOLS, CHURCHES, AND PARKS**

State	Time Period	Approach Criteria Leq (h)*	Substantial Increase Over Existing Criteria**
Washington	Peak hour Leq(h)***	66 dBA	10 dBA or greater
New York	Peak hour Leq(h)***	66 dBA	6 dBA or greater
Arizona	Peak hour Leq(h)***	64 dBA	15 dBA or greater

\* FHWA identifies exterior residential, school, church, and park impacts at 67 dBA. Approach criteria varies by state.

\*\* Substantial Increase Over Existing Criteria varies by state.

\*\*\* Leq (h) represents the peak hourly value.

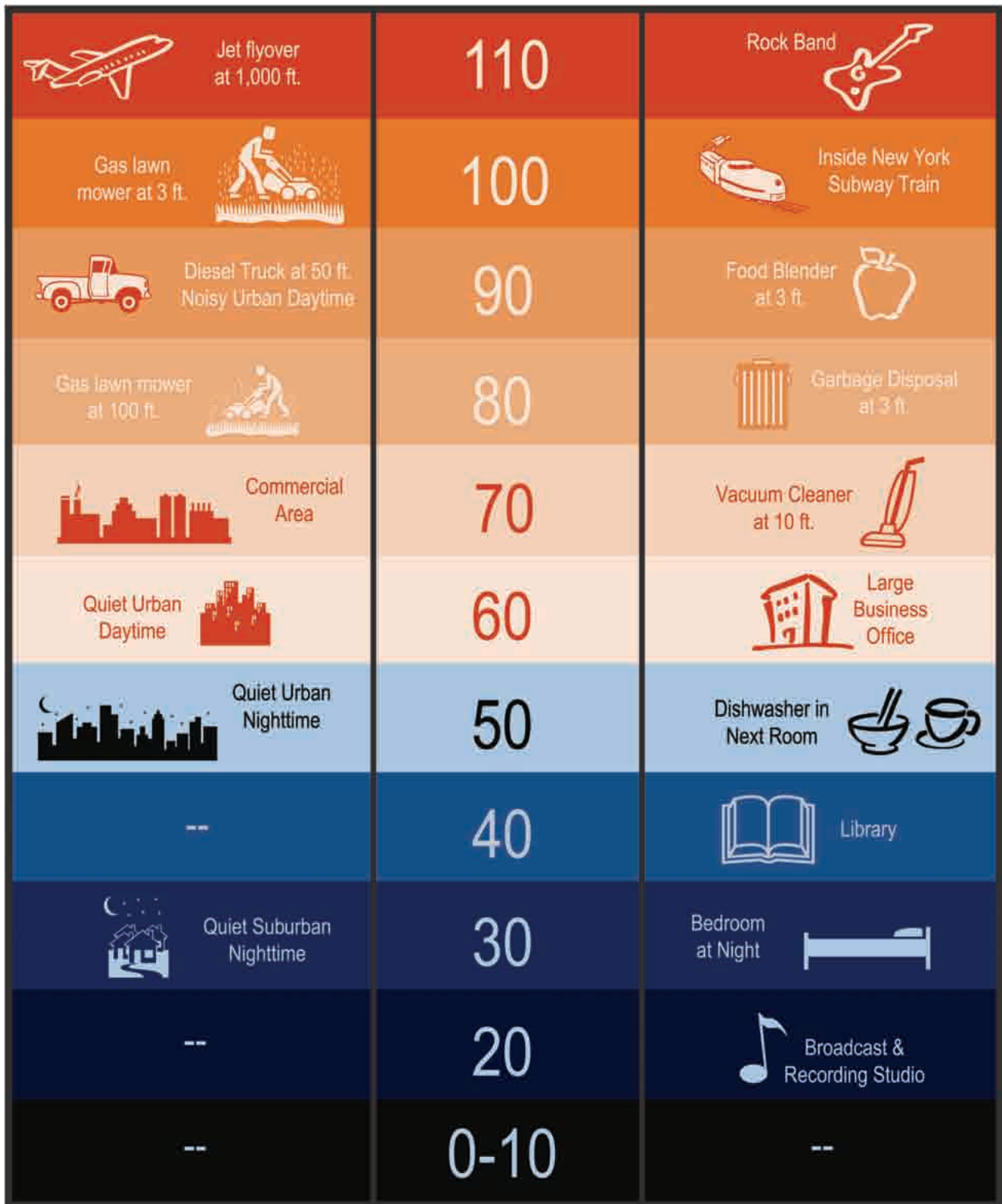


FIGURE 1 COMMON OUTDOOR AND INDOOR NOISE LEVELS

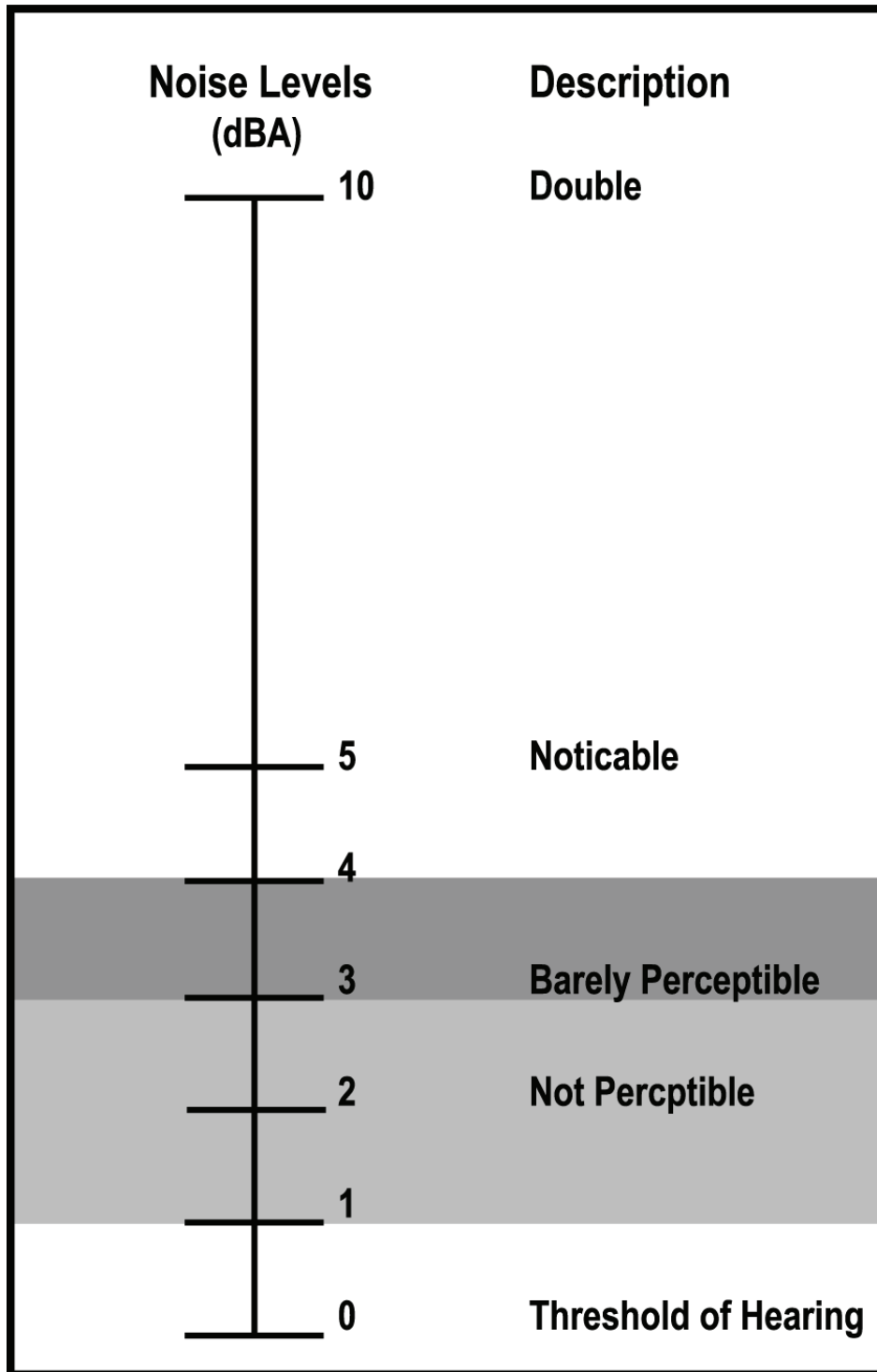


FIGURE 2 TYPICAL PERSON SENSITIVITY TO SOUND LEVEL DIFFERENCES\*

\*Based on typical human sensitivity to sound level changes.

## 1.1 NOGALES EAST, ARIZONA

### 1.1.1 AFFECTED ENVIRONMENT

All of the potentially noise-sensitive receptors are shielded from the LPOE by intervening commercial and industrial structures. LPOE personnel reported that there have been no noise complaints from any of the nearby site residents. The nearest direct noise-sensitive receptor is approximately 600 feet from the LPOE. However, as mentioned, all of the receptors are fairly well shielded from LPOE generated noise by the commercial and industrial structures that surround the LPOE on all sides.

For this assessment, this generalized analysis accounted for an *unshielded* scenario without the intervening structures and with *maximum peak hour traffic volumes* to evaluate a worst-case condition.

As a result of the above variables, the sound level contributions from *unshielded* LPOE traffic activities during the *maximum peak hour traffic volumes* was estimated to be approximately 46 dBA at the nearest noise sensitive receptor. Typical "quiet" daytime suburban neighborhoods have dBA levels in the 50's. When factoring in the building shielding, the LPOE noise contributions should not typically be noticeable to the people who live there. Arizona Department of Transportation (ADOT) has an impact approach criteria of 64 dBA for exterior noise receptors at residences, churches, schools, and parks. The predicted LPOE sound level contributions are well below the ADOT criteria.

### 1.1.2 ENVIRONMENTAL CONSEQUENCES

The Preferred Alternative is to be implemented without causing additional delays to the primary inspection process. As a result, the vehicle operating characteristics do not change, which results in no sound level changes at sensitive noise receptors near the LPOEs. Therefore, no mitigation is proposed and further action is not warranted as a result of implementing the Preferred Alternative at this LPOE.

## 1.2 MARIPOSA – NOGALES WEST, ARIZONA

### 1.2.1 AFFECTED ENVIRONMENT

There are no potentially noise-sensitive land use receptors in this area. However, in the interest of providing a potential area of impact around the LPOE for this Final EA, the distance to the 64 dBA contour (the ADOT approach criteria) was predicted for planning purposes. The distance to the 64 dBA contour from LPOE traffic activities during maximum peak hour volumes was estimated to be approximately 105 feet from the center of the road.

### 1.2.2 ENVIRONMENTAL CONSEQUENCES

Since there are no potentially noise-sensitive receptors in this area, there are no receptors to analyze. Still, the Preferred Alternative is to be deployed without causing additional delays in the primary inspection process. As a result, the vehicle operating characteristics do not change, which results in no sound level changes at noise-sensitive receptors near the LPOEs. Therefore, no mitigation is proposed and further action is not warranted as a result of Increment 2C.

## 1.3 ALEXANDRIA BAY/THOUSAND ISLANDS, NEW YORK

### 1.3.1 AFFECTED ENVIRONMENT

Based on the field investigations, it was noted that the only potential noise sensitive land use included four (4) seasonal residences located approximately 750 feet from the LPOE.

The sound level contributions from *unshielded* LPOE traffic activities during the *maximum peak hour traffic volumes* was estimated to be approximately 50 dBA at the nearest noise-sensitive receptor. Factoring in the shielding provided by the intervening mixed forest area, the LPOE noise contributions should not typically be noticeable to the people who live there. New York State DOT (NYSDOT) has an impact approach criteria of 66 dBA for exterior noise receptor at residences, churches, schools, and parks. The predicted LPOE sound level contributions are well below the NYSDOT criteria.

### **1.3.2 ENVIRONMENTAL CONSEQUENCES**

The Preferred Alternative is to be implemented without causing additional delays in the primary inspection process. As a result, the vehicle operating characteristics do not change, which results in no sound level changes at noise-sensitive receptors near the LPOEs. Therefore, no mitigation is proposed and further action is not warranted as a result of Increment 2C.

## **1.4 PACIFIC HIGHWAY - BLAINE, WASHINGTON**

### **1.4.1 AFFECTED ENVIRONMENT**

Washington State DOT (WSDOT) has an impact approach criteria of 66 dBA contour (Table 1). The distance to the 66 dBA contour from LPOE traffic activities during the maximum peak hour traffic volumes was estimated to be approximately 110 feet to either side from the center of SR 543. On the eastern side of this access road, there are two residences that may meet the criteria that have driveway access from 14th Street between C and D streets. These residences may also have some noise contribution from the abutting truck idling pad. Though these sites also have some tree shielding between the homes and the road, it is not as dense or as long as the trees on the west side.

The residences located to the west of the main access road on 11<sup>th</sup> and 12<sup>th</sup> streets are outside the 66 dBA contour and not impacted by noise (these homes also have a row of intervening trees, almost 100 feet deep, running the length of SR 543).

### **1.4.2 ENVIRONMENTAL CONSEQUENCES**

The Preferred Alternative is to be deployed without causing additional delays in the primary inspection process. As a result, the vehicle operating characteristics do not change, which results in no sound level changes at noise-sensitive receptors near the LPOEs. Therefore, no mitigation is proposed and further action is not warranted as a result of Increment 2C.

## **1.5 PEACE ARCH - BLAINE, WASHINGTON**

### **1.5.1 AFFECTED ENVIRONMENT**

Based on field investigations, it was noted that some of these residences may already be affected by noise from Interstate 5 (I-5). Additionally, virtually all of the traffic volume at this LPOE is passenger vehicles.

The distance to the 66 dBA contour from LPOE traffic activities during the maximum peak hour traffic volumes was estimated to be approximately 55 feet from the center of northbound Interstate 5 (there is an approximate 200-foot difference between the northbound and southbound lanes). This contour line is likely to still be within the Interstate right-of-way. For the residences on B and C streets, the dBA levels were predicted to be in the mid-upper 50's.

The Peace Arch Park property may already meet the WSDOT criteria, but the 66 dBA contour would still be at least 200-feet from the building areas and at least 400-feet from the Peace Arch monument.

### **1.5.2 ENVIRONMENTAL CONSEQUENCES**

The Preferred Alternative is to be deployed without causing additional delays in the primary inspection process. As a result, the vehicle operating characteristics do not change, which results in no sound level changes at noise-sensitive receptors near the LPOEs. Therefore, no mitigation is proposed and further action is not warranted as a result of Increment 2C.

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## APPENDIX F

### AGENCY AND PUBLIC COMMENTS ON THE DRAFT EA





US-VISIT RESPONSE

1. US-VISIT has determined that there will be no change in the operational parameters relating to air quality as a result of the Preferred Alternative. Therefore, there will be no change to the air quality volumes. The worst-case hypothetical situation was strictly for testing purposes to see what would happen if there was a change. Additionally, based on the model, had there been an actual predicted increase in the real world, mitigation would not be warranted unless the additional levels surpass a total PM<sub>10</sub> emissions budget (no longer applicable to this area as historically described in the report) or if there were cause that the National Ambient Air Quality Standards (NAAQS) could be exceeded. Neither is applicable in this case.
2. Nogales East does have a hypothetical increase. However, the change is so small that it would carry out to 5 decimal places and the model rounds off to 4 decimals (note, at the 4th decimal, 0.0001 tons is less than 1/10th of a kilogram). The hypothetical change at Mariposa is +0.000358 (presented as 0.0004 in Appendix C, Table 5) and the hypothetical change at Nogales East is +0.000075 (presented as <0.0001 in Table 2).
3. Higher does not equate to "impact" unless the total PM<sub>10</sub> budget is surpassed, or if the NAAQS would be exceeded. The hypothetical change is 0.000358 tons, or less than 1/3 of a kilogram. Therefore, there is no predicted change as a result of the implementation of Increment 2C, thus, there is no impact.
4. The analysis goes further than what could typically be expected because there is no predicted change in the operational parameters as a result of Increment 2C and, as such, could have been reported that way. However, since US-VISIT wanted to test hypothetical worst-case scenarios that are beyond the expected, the explanation of the different emissions was based on a direct delay added to vehicle wait times. Growth is already assumed in the base case traffic volumes. Those volumes come from travel demand model planning estimates that take into account land use, trip attractions/productions, etc.

I.D.#

Beverly Chenausky  
Phoenix, Arizona  
Port: Mariposa - Nogales West

1. **Comment:** Clarification warranted.
2. In the Air Quality Appendix C page 9, there is a chart showing that the PM10 levels will be higher with the 2015 + US-VISIT but the document does not offer any mitigation or other alternatives to explain the increasing PM10 emissions above the Base Level. Typically if a "Build" scenario is more than "No-Build" the project needs to be modified. Why does the Mariposa PM10 increase PM10 emissions while Nogales East has no impact? How can a minimal impact be concluded from the hypothetical situation if PM10 emissions are higher? What are some land use implications, ie Growth that would explain the different emission outcomes? The Air Quality Analysis seems incomplete and triggers more questions than answers.
- 3.
- 4.

US-VISIT RESPONSE

I.D. #

Lisa McLellan Dye  
 FHWA  
 San Diego, California

**Comment:** I commend you on the completeness and accuracy of the report. I would also like to commend you on the accessibility of the report, although I am disappointed to say I requested a report via the telephone that I have not received to date (10 business days ago). This telephone request process was a bit cumbersome as you do not know if the request has been registered, or is being followed up on, so it is difficult to know if the request needs to be repeated if no report is forthcoming, or if delivery of the report will come with sufficient time to comment.

I did download the file from the internet, which was fairly easy to do.

The only comment I have on the content of the report is on Footnote 17 on page 22. The statement is made that "FAST is currently only deployed on a limited basis" is "limited basis" referring to FAST deployment nationwide? FAST deployment at Nogales? does limited refer to "short-term" or "low participation"? Either clarify the statement, or eliminate it as it does not seem critical for understanding of the POC and its impacts.

Thank you for the opportunity to comment.

1. Comment noted. US-VISIT followed up with Ms. Dye to inquire if she still wanted a hard copy.
2. Footnote 17 has been revised to denote that FAST is currently deployed nationally on a limited basis.

US-VISIT RESPONSE

I.D. #



U.S. Department  
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**Federal Highway  
Administration**

Washington Division

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March 22, 2005

HMO-WA/592

US-VISIT Program  
Land Comments  
ATTN: Facilities Director  
PO Box 587  
Arlington, VA 222216-0587

**Increment 2C Proof of Concept At Select  
Land Ports of Entry  
Draft Environmental Assessment**

Dear Mr. Rodriguez:

Thank you for the opportunity to review and comment on your draft environmental assessment for the proposed "Increment 2C Proof of Concept At Select Land Ports of Entry" project. We would like to offer the following comments regarding your document:

1. Discussions in the Executive Summary (page S-5, Summary of Environmental Impacts) and in the text (page 43, 3.16 Summary of Environmental Impacts and Mitigation) establish that activities associated with construction "...will occur within areas of each LPOE facility..." and that the "...Preferred Alternative will not require the acquisition of land or the disturbance of natural or physical resources within or adjacent to the LPOE." If the first statement is true, what purpose is served by the second? At last week's Partnership Forum in Seattle it was established that US-VISIT is discussing right-of-way needs with each of the States involved in the POC project. Is additional right-of-way needed for this project?
2. Your proposal is to erect steel light poles on the exit roadway to facilitate the needed RFID antennas. We would recommend that, in order to maintain existing travel speeds on these facilities, you should consider appropriately designed safety appurtenances (guardrail) for these installations.
3. Total reconstruction of SR 543 (the Pacific Highway in Blaine, from I-5 to the International Boundary) is scheduled to begin late this summer or in early fall. The discussion (page 45, 3.16.2 Cumulative Impacts) does not recognize this work. (US-VISIT representatives at the Seattle meeting advised that they were aware of it when the topic came up during the breakout sessions.)
4. Minor editorial comments:
  - (Page 23, 3.3.1.4, third paragraph) - "...70,786 buses in..." should be 786.



1. The language with respect to land acquisition has been clarified to state that US-VISIT does not intend to purchase any additional land or increase the footprint of the existing LPOE. However, US-VISIT will be working with the current landowners to obtain rights of way in order to install the necessary equipment on outbound lanes.
2. The language in the Final EA has been clarified to explain that our preference is to install overhead gantry infrastructure on outbound lanes. Steel poles will be installed where gantries are not possible or as a temporary measure until gantry construction can occur. US-VISIT will abide by all State Department of Transportation regulations with respect to safety requirements and coordinate with State DOT's on transportation design issues.
3. Section 3.16.2 (Cumulative Impacts) has been revised to include additional discussion on the SR 543 road widening project.
4. Minor editorial corrections:
  - Section 3.3.1.4 (Pacific Highway - Blaine, Washington) has been revised to correct the number of buses (786) that crossed the border during February, 2003.

US-VISIT RESPONSE

- 4. (cont.) Minor editorial corrections:
  - Section 3.16.2 (Cumulative Impacts) reference to "SR 534" has been revised to "SR 543.
  - The acronym (WSDOT) has been revised in the Final EA where applicable.
- 5. Comment noted. US-VISIT appreciates the interest shown by the Division.

I.D. #

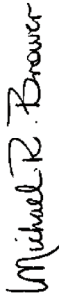
4. (cont.)

- (Page 45, 3.16.2, fifth paragraph) – "...State Route 534..." should be 543.
- (Page 59, acronyms and throughout the document) – the Washington State Department of Transportation is WSDOT, not WADOT.

5. We look forward to the successful completion of US-VISIT's Increment 2C Proof of Concept project and the new technology it will introduce at the International Boundary crossings in Blaine.

Sincerely,

DANIEL M. MATHIS, P.E.  
Division Administrator



By: Michael R. Brower, P.E.  
Transportation Mobility Engineer

US-VISIT RESPONSE

I.D. #

Colin Wagner  
GSA  
Washington, DC

**Comment:** GSA has no comments on Alexandria Bay. GSA has no comments on Pacific Highway Comments from GSA Region 5:  
EXECUTIVE SUMMARY Public Outreach Page S-7 "US-VISIT is making the Draft EA available for review and comment for a 30-day period. Notices on the availability of the document and the comment period have been placed in English- and Spanish-language newspapers local to the five land ports of entry that are part of the analysis discussed in this Draft EA. A notice of availability has also been placed in a national newspaper. Additionally, US-VISIT e-mailed a letter containing the same information to those on the US-VISIT stakeholder e-alert distribution list."

**Comment:** Should not French-language review be available as well (particularly in upstate New York)?

TRAFFIC

3.3.2 Environmental Consequences  
Page 24, Table 2 "For the five LPOEs, Table 2 provides a summary of baseline border traffic statistics. The Preferred Alternative will not result in a change in: the vehicle mix, the number of in-scope travelers processed, or the number of monthly conveyances processed at each of the five LPOEs. The Preferred Alternative will not impact current traffic volumes nor the physical capacity of a LPOE to process vehicles or pedestrians. Although it is anticipated that the Preferred Alternative will not impact traffic operations, US-VISIT will use an adaptive management approach to provide for ongoing monitoring and potential mitigation of unanticipated impacts."

**Comment:** Please indicate if the figures represent US-bound traffic only, or bi-directional (i.e., total traffic volume across the border).

3.3.2 Environmental Consequences  
Page 24, Footnote 18, Last sentence "18 BorderWizard provides core capabilities for simulating the arrival and processing of commercial vehicle, passenger vehicle, bus, and pedestrian traffic entering the U.S. at a LPOE. The system consists of a database management system, a layout tool, two discrete-event simulation models, a statistical reporting system, and a 2-D animation capability. BorderWizard can be used to define the infrastructure and operating characteristics of any existing or proposed LPOE, and analyze its performance using modeling and simulation. BorderWizard also provides information on human resource requirements to operate the LPOE."

**Comment:** Is this new? In the past, Border Wizard training was carefully commented that the model was not a staffing tool, even though the outputs suggested such use. If this is still the case, perhaps this last sentence should be deleted.

1. US-VISIT's initial scoping and experience in previous outreach in the affected areas indicated a low likelihood of a desire by the affected public for a French translation. During the 30-day comment, there were no comments or requests for a French-language version of either the Executive Summary or the Draft EA. However, US-VISIT remains mindful that the demographics of the affected population, including language preference, should be taken into account and will accommodate requests and needs to the extent practicable in the future.
2. Table 2 (Section 3.3.1) of the Final EA has been revised to denote that pedestrian and vehicular crossings are for U.S. entry only.
3. Border Wizard is not intended to be a staffing tool and was used in the POC analyses for its traffic modeling capabilities. Footnote 18 of the Final EA has been revised

US-VISIT RESPONSE

<p>I.D. #</p>	<p><b>SOCIOECONOMICS</b>                  3.4.2 Environmental Consequences                  Page 29, Second bullet "Direct costs are those costs incurred at the city, county, state, and federal levels. For example, for the border community following the events of 9-11, some potential direct costs were: *cost of increased activity by Border Agencies; *cost of increased National Guard activity."  <b>Comment:</b> Perhaps change to read, "cost of increased National Guard activity to supplement operations by Border Agencies".</p> <p><b>NOISE</b>                  3.10.1 Affected Environment                  Page 36, First paragraph "The following information was also considered to further define the affected environment, including field interviews with LPOE personnel about past noise issues, the type of noise sensitive receptor land use (residences, churches, schools, parks, for example), the diurnal (seasonal) changes in traffic as described by the LPOE personnel, the seasonal use of certain land use types (for example, northern border parks were not expected to be occupied in the winter), the current maximum peak hour traffic volumes specific to the LPOE, and other odd events as reported by LPOE personnel."  <b>Comment:</b> Add "including holidays", to the seasonal change comments - although for only a day or two, these can have very dramatic effects on throughput.</p> <p><b>FLOODWAYS AND FLOODPLAINS</b>                  3.14 Floodways and Floodplains: Page 41, First paragraph, Top of page "Following review of available mapping (FIRM and Q3 [where available]), LPOE site visits were conducted to validate the mapping and assess if the LPOE was subject to problematic flood events through field observation and interviews with LPOE officials."  <b>Comment:</b> What is "Q3"?"</p> <p><b>PUBLIC OUTREACH</b>                  4.1 Draft EA Availability and Distribution                  Page 47, First paragraph "US-VISIT is making the Draft EA available for review and comment for a 30-day period. Notices on the availability of the document and the comment period have been placed in English- and Spanish-language newspapers local to the five LPOEs that are part of the analysis discussed in this Draft EA. A notice of availability has also been placed in a national newspaper. Additionally, US-VISIT e-mailed a letter containing the same information to those on the US-VISIT stakeholder e-alert distribution list."  <b>Comment:</b> Should not French-language review be available as well (particularly in upstate New York)?</p> <p><b>COMMONLY USED ACRONYMS AND GLOSSARY OF TERMS</b> 6.0 Commonly Used Acronyms and Glossary of Terms Page 57  <b>Comment:</b> Add "Q3" and its definition.</p>
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I.D. #

4. Section 3.4.2 (Environmental Consequences – Socioeconomics) has been revised to denote the increased cost of National Guard activity to supplement operations by Border Agencies.
5. Holidays were considered in the analysis. The text in Section 3.10.1 (Affected Environment - Noise) has been revised to reflect this.
6. Digital Q3 flood data is a representation of certain features of FEMA's Flood Insurance Rate Maps (FIRMs). Digital Q3s are intended for use with desktop mapping and Geographic Information Systems (GIS) technology. The data is used for a variety of planning applications including broad-based review for floodplain management, land-use planning, commercial site analysis, insurance target marketing, natural resource/environmental analyses, and real estate development and targeting.
7. See response to GSA – 1 above.
8. Section 6 (Commonly Used Acronyms and Glossary of Terms) has been revised to include the definition of Q3 Flood Data.



US-VISIT RESPONSE

I.D. #

DISTRIBUTION LIST

8.0 Distribution List, Page 61, U.S. Customs and Border Protection

**Comment:** Delete, "U.S. General Services Administration" from the address.

8.0 Distribution List, Page 62, Federal Highway Administration

**Comment:** Insert space between information for Ms. Jill Hochman and Mr. Robert E. Hollis.

GENERAL COMMENTS

**Comment:** Do Native American tribal groups (US) or First Nations Groups (Canada) need to be specifically invited and involved in the review process?

Comments from GSA Region 9:

EXECUTIVE SUMMARY

Proposed Action, Page S2 - 3rd paragraph "Current operating procedures require that the first time an in-scope traveler crosses at a LPOF under Increment 2B, the traveler is referred to secondary inspection to determine admissibility. The same procedures will continue in the Increment 2C POC whereby the CBP Officer will collect biographic and biometric information (fingerprints and a facial photograph [unless exempt from the collection of biometric information]) from in-scope travelers, and check against lists of known criminals and terrorists under previously established procedures. Under Increment 2C, the in-scope traveler will then be issued an a-ID. The a-ID will contain a unique identifier (e.g., number) that is associated back to a secure database that houses the in-scope traveler's biographic and biometric data (unless exempt from the collection of biometric information). No biographic or biometric information will be stored on the a-ID. Upon the in-scope traveler's subsequent entry at primary inspection, the system will automatically read and record the traveler's a-ID."

**Comment:** Does this include travelers exiting the US for the first time? If it does, have traffic delay times been estimated for screening in-scope travelers who are already in the United States, do not have the a-ID yet, and are leaving for the first time?

Alternatives Analysis And The Preferred Alternative Page S3 Step 3, No. 2 "Border Community Criteria - criteria of significant interest to the border community: \*Result in minimal impacts to the LPOE. \*Not increase wait times. \*Not degrade the baseline traffic level of service (LOS) for free-flow exit lanes. \*Not degrade overall traffic flow."

**Comment:** How will these criteria be met, given the initial necessity of collecting the information under Increment 2B? Diverting individuals leaving the Country to secondary inspection in order to collect the information necessary to implement Increment 2C will impose delays that do not exist now. The document does not address this impact on the local community.

9. Section 8 (Distribution List) has been revised to address minor formatting issues.

10. Section 8 (Distribution List) has been revised to address minor formatting issues.

11. Native American tribes are involved in the review of the Proposed Action through consultation in accordance with Section 106 of the National Historic Preservation Act. Section 3.8 of the Draft EA identifies specific tribes that have been consulted for each LPOE.

12. The Increment 2C POC process will not require in-scope travelers to stop at the border or go to secondary prior to exiting the U.S. The Executive Summary (Proposed Action) and Section 1.2 (Proposed Action) of the Final EA has been revised to clarify that in-scope travelers will not be required to stop at the border upon exit.

13. The Increment 2C POC will not require in-scope travelers to stop at the border prior to exiting the U.S. (see response to GSA – 12).



US-VISIT RESPONSE

I.D. #

Summary Of Environmental Impacts  
 Page 55 56: "Operationally, it is the intention of US-VISIT to deploy the Preferred Alternative in such a manner as to: \*Not increase current wait times upon entry. \*Not degrade baseline level of service (LOS) for free-flow exit lanes. \*Not significantly degrade LPOE traffic patterns. This will be achieved through a number of mitigating actions during the POC, including: no alteration of traffic flows or speed limits, and no change in the traveler population currently subject to secondary inspection. Because the Preferred Alternative is expected not to adversely impact existing LPOE operations (i.e., increase in wait times, degradation of baseline level of service (LOS) for free-flow exit lanes.), it is anticipated that there will be no significant adverse impacts to the natural and physical environment, travelers, or local border communities at each of the five LPOEs."

**Comment:** There is no objective support for these statements in the EA. Implementing any southbound inspection procedures at the LPOEs to gather the information necessary to implement Increment 2C will slow the flow of traffic. At busy LPOEs this could be a major impact on the local community. This issue should be resolved in the POC.

ENVIRONMENTAL ASSESSMENT  
 3.3.2 Environmental Consequences, Page 24, 3rd bullet "Vehicular traffic will not be stopped on exit as part of the Increment 2C POC."

**Comment:** Does "on exit" mean leaving the United States? If so, then all of the comments above are moot, and it should be made clear in the Executive Summary that there will be no Increment 2B inspections of individuals leaving the U.S.

Table 2 - Increment 2C POC 2003/2004 Traffic Volume Statistics Page 26  
**Comment:** The table does not include southbound traffic data. This too implies that no southbound inspections will be conducted. Again, this should be made clear in the document.

Comments from GSA Region 10:  
 CULTURAL RESOURCES  
 3.8.1.5 Peace Arch - Blaine, Washington  
 Page 34 and 35 "The cultural resources survey at the Peace Arch Blaine LPOE determined that the LPOE was sufficiently disturbed to have no potential for intact archaeological remains. No historic buildings were identified during the fieldwork. The Peace Arch State Park adjacent to the LPOE is listed on the NRHP. The installation of equipment necessary to implement the Preferred Alternative will not create any more of a visual impact to the listed property than the equipment currently present at the LPOE. Since no historic properties were identified at the LPOE, and the Preferred Alternative will not affect the integrity of the Peace Arch State Park, the Preferred Alternative will have no adverse effect to historic properties at this LPOE. US-VISIT has forwarded the findings of this evaluation to the Washington SHPO, GSA, the Lummi Nation, Nooksack Reservation, and Upper Skagit."

**Comment:** On page 35, it states that the Peace Arch State Park is on the NRHP. That is incorrect, the park is on the state register of history places, not the federal list. The Peace Arch monument and the land around the monument is listed on the NRHP. **Comment:** The port expansion currently being planned has brought heightened popular interest and involvement in the Peace Arch Port of Entry. The EA should consider the potential visual impacts from added equipment that would affect the aesthetic view from the park and the NRHP Peace Arch which are within the project's area of potential affect. The view from such NRHP properties should be addressed fully since this issue is often of heightened significance to the indigenous population.

14. The Increment 2C POC will not require in-scope travelers to stop at the border or go to secondary prior to exiting the U.S. (see response to GSA – 12). US-VISIT will not require the introduction of new outbound inspections. After the 90 day evaluation period for Phase I of the POC, US-VISIT will determine the viability of providing support to existing outbound inspections performed by CBP. If additional analysis of the potential impacts becomes necessary, US-VISIT will supplement the current analysis. However, US-VISIT has no plans to institute additional outbound inspections.
15. The Increment 2C POC will not require in-scope travelers to stop at the border prior to exiting the U.S. (see response to GSA – 12).
16. The Increment 2C POC will not require in-scope travelers to stop at the border prior to exiting the U.S. (see response to GSA – 12).  
 Table 2 (Section 3.3.1) of the Final EA has been revised to denote that pedestrian and vehicular crossings are for U.S. entry only.
17. The Peace Arch and the land it resides on, is adjacent to the LPOE and is listed on both the National and State Registers of Historic Places. The gantry to be installed is a standard WSDOT design and matches a similar gantry that is further to the south of the LPOE. US-VISIT has determined that the visible elements of the POC installation will not impact the integrity of the historic structure. Since no other historic properties were identified at the LPOE, and the Preferred Alternative will not affect the integrity of the Peace Arch or the land it resides on, US-VISIT has determined that no historic properties will be adversely affected by the Preferred Alternative.

US-VISIT RESPONSE

1. Comment noted, US-VISIT appreciates Caltrans interest and time in reviewing the Draft EA.
2.
  - a. US-VISIT intends to coordinate closely with Caltrans prior to a US-VISIT undertaking at any LPOE in California. If a determination to proceed with future undertakings in California is made on the basis of the POC, US-VISIT intends to coordinate closely with Caltrans prior to implementation at any LPOE in California.
  - b. US-VISIT intends to coordinate closely with Caltrans prior to a US-VISIT undertaking at any LPOE in California. At this time, there are no proposed actions and no determination has been made regarding future implementations in the State.
  - c. BorderWizard simulates the flow of vehicular and pedestrian crossings through the inspection process at land POEs. In the inbound direction, vehicles may backup onto the primary inspection plaza and road infrastructure. Each BorderWizard POE model simulates the flow of vehicles from the international border, through the inspection process and back onto the existing road infrastructure. The model collects detailed statistics in the number of vehicles in the queue and the wait time for each vehicle. These statistics are of primary importance when measuring emissions. In the outbound direction, any potential delays are also measured through BorderWizard. Each BorderWizard model connects the POE to the State roads in the immediate vicinity of the port. Since the model shows events such as queues spilling onto major highways, the model can potentially be used as a tool for measuring highway safety.
  - d. Comment noted. These issues will be addressed and coordinated on an LPOE-specific basis.
  - e. Comment noted. The steel light poles, gantry, and associated POC equipment will be installed and maintained in a manner that does not result in an unsafe condition to pedestrians and vehicular traffic entering or exiting the LPOE.
  - f. Comment noted. US-VISIT is coordinating closely with AZ, NY, and WA State DOTs.
  - g. Comment noted. Each LPOE presents different challenges and solutions. US-VISIT will coordinate closely with each Port Director, and appropriate state agencies.

I.D. #

DEPARTMENT OF TRANSPORTATION  
 DISTRICT 11  
 P. O. BOX 85406, MS 50  
 SAN DIEGO, CA 92186-5406  
 PHONE (619) 688-4954  
 FAX (619) 688-4239  
 TTY (619) 688-6670

ANSIEDL SCHEINER/ROBERTA GIBLER, CHAIRMAN  
 "Five year power!  
 Be energy efficient!"

11-SD  
 US VISIT  
 Draft EA

March 25, 2005

US-VISIT Program  
 PO Box 587  
 Arlington, VA 22216-0587  
 ATTN: Facilities Director

1. The California Department of Transportation (Caltrans) appreciates the opportunity to have reviewed the Draft Environmental Assessment US VISIT Increment 2C Proof of Concept at Select Land Ports of Entry (US VISIT). Although there will be no specific Land Port of Entries (LPOE's) specified for California as of yet, we still have some concerns with future US VISIT implementation within California. Caltrans has the following comments:
  - The major concern Caltrans has of the US VISIT program is coordination and the ability of both agencies to define all projected impacts, avoidance, and mitigation measures resulting from the cumulative impacts of the project.
  - Greater clarity is needed on the scope and schedule of the US VISIT program for the California LPOE's, not only for details for field operators, but an overall big picture assessment.
  - The Federal Border Wizard model measures the effectiveness of POE efficiencies, but does not address the traffic flow and road safety impacts upon the State highways.
  - While most of Caltrans concerns are highlighted at the US VISIT "Exit" portion, we are also concerned in regards to the right of way located south of the border and therefore applicable to the "Entry" portion of US VISIT.
  - All lighting (including reflected sunlight) within this project should be placed and/or shielded so as not to be hazardous to vehicles traveling on state routes.
  - All signs visible to traffic on state routes need to be constructed in compliance with the State regulations.
  - On page 44, it is noted that the five LPOE's "very rarely have all lanes operational at any given time". It is stated that the planned installation can be accomplished without impact to baseline traffic flow, but many of our San Diego region LPOE's do operate with all lanes operational. There is a general lack of space for implementation of US VISIT, especially at the San Ysidro POE.

\*Caltrans improves mobility across California\*

US-VISIT RESPONSE

I.D. #

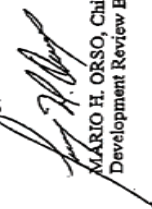
Facilities Director  
March 25, 2005  
Page 2

2. (cont.)

- On page 44, it stated that US VISIT will perform time studies and the results will be documented video. Will this information be made available to all State Departments of Transportation when preparing comment on the document as implemented in California?
- On page 43, it is noted that there will not be any dedicated lanes as a measure to mitigate impact to LPOE operations during construction. Analysis is required to determine how this will affect current SENTRI/HOV lane motorists.
- Should the US VISIT program be adopted in California, any work performed within Caltrans' right of way will require an encroachment permit and environmental approval (both NEPA and CEQA) for potential impacts.

Caltrans strongly encourages close coordination between all interested parties regarding the impacts to State transportation facilities. If you have any questions please contact Trent Clark, Development Review Branch, at (619) 688-6806.

Sincerely,



MARIO H. ORSO, Chief  
Development Review Branch

*"Caltrans improves mobility across California"*

2. (cont.)
  - h. This information is being collected to evaluate and validate the study through analysis of defined performance metrics (video is but one assessment tool). Relevant information used in the analysis and design of potential future deployments will be shared with the appropriate stakeholders. Relevant information used in the analysis and design of potential future undertakings will be shared with the appropriate stakeholders.
  - i. US-VISIT will assess the potential impact with respect to future actions at ports that have operating SENTRI/HOV lanes resulting from information gained during the POC. US-VISIT has considered and addressed SENTRI lanes and the potential impact to travelers that use SENTRI in the development of the POC feasibility study. For the POC, US-VISIT intends to install the POC test equipment (e.g., poles, antennas, wiring, cables, etc.) in the SENTRI lanes, but the RFID functionality will not be activated. At this time, a dedicated SENTRI lane is a planned capability at the Nogales East LPOE only. Potential temporary impacts during construction will be monitored and addressed through an adaptive management process, as described in the Final EA.
  - j. Comment noted. If a determination to proceed with future undertakings in California is made on the basis of the POC, US-VISIT intends to coordinate closely with Caltrans prior to implementation at any LPOE in California.
3. US-VISIT appreciates the interest shown by Caltrans and intends to continue its outreach and commitment to coordination with appropriate stakeholders.

I.D. #

Crystal Williams  
 American Immigration Lawyers Association  
 Washington, DC  
 Peace Arch - Blaine

**Comment:**

US-VISIT Program  
 (Land) Comments  
 ATTN: Facilities Director  
 P.O. Box 587  
 Arlington, VA 22216-05897

Dear Facilities Director:

The Pacific Enterprise Counsel (PACE) and the American Immigration Lawyers Association (AILA) jointly file this letter as comments to the Draft Environmental Assessment for US-VISIT Increment 2C: Proof of Concept at Select Land Ports of Entry (hereafter "Draft EA").

Federal agencies are required to take a "hard look" at the possible environmental consequences of a proposed action in the environmental assessment process. In their review, agencies must also take into consideration the possible socioeconomic effects of the action, including the direct, indirect, cumulative, and reasonably foreseeable effects. An Environmental Assessment ("EA") should briefly determine whether to prepare an environmental impact statement ("EIS") or a finding of no significant impact ("FONSI"), and an agency's compliance when no EIS is necessary, and to facilitate the preparation of a statement when one is necessary. 40 C.F.R. §1508.9.

Implementing a national entry/exit monitoring system, even in increments, is a "significant" federal action, with the potential to affect the human environment of border communities and the United States in general. As such, a full environmental impact statement should be prepared, so that interested communities, citizens, and government agencies can be satisfied that DHS has sufficiently considered all reasonably foreseeable effects that will flow from the entry/exit tracking monitoring methods which are chosen.

At a minimum, sufficient advance fact-finding and analysis is necessary (and compelled by law) to adequately address the full spectrum of possible socioeconomic and environmental impacts the Increment 2C and the subsequent phases of US VISIT implementation may have.

**PACE**

Formed with the inception of the 1989 US-Canada Free Trade Agreement, PACE is a non-profit, bi-national private-sector organization that promotes and advances interests in free trade and border-crossing matters by advocating the removal of barriers that impede the legitimate flow of people, goods and services across the Canada/USA border. Its membership consists of business owners, managers, entrepreneurs, professionals, association managers and government officials who share a common interest in an efficient and secure border that facilitates legitimate trade and travel.

PACE recognizes that it is vitally important to enhance our nation's security, and that we must do so in a way that balances our need for enhanced security with the cross-border flow of people and goods that are the foundation of the economic security that pays for our national security. Among its many accomplishments PACE worked with legacy INS regarding NEXUS implementation and enrollment issues at the Peace Arch Crossing located at Blaine, Washington.

**US-VISIT RESPONSE**

US-VISIT appreciates the interest shown by the Pacific Enterprise Counsel (PACE) and the American Immigration Lawyers Association (AILA) through the comments submitted on the Draft Environmental Assessment for the Increment 2C Proof of Concept (POC). US-VISIT prepared the Draft EA in accordance with the National Environmental Policy Act to examine the potential for significant environmental impacts as a result of the Proposed Action and to determine whether an Environmental Impact Statement (EIS) would be required. As a result of this analysis and after consideration of the comments received during the public comment period, US-VISIT anticipates that no significant impacts will result from implementation of the Proposed Action. Therefore, a more in-depth analysis through preparation of an EIS is not warranted.

As noted in the Draft EA, the Proposed Action is, in fact, the testing and review of an "entry-exit" system on a very limited scale. The purpose of the Proof of Concept is to inform and allow US-VISIT to develop a well-conceived and properly implemented "entry-exit" system. The focused and limited nature of the POC allows for the implementation of the technology, business process and associated infrastructure at a limited number of sites to be utilized in determining the possible viability of this approach prior to decisions about possible deployment on a larger scale. As stated in the Draft EA, US-VISIT will conduct the appropriate environmental analysis of potentially significant impacts using the information gathered in the POC if a determination is made that the POC should be expanded for further deployment at additional locations. Therefore, it is neither appropriate nor possible at this time to do an analysis of a national deployment given that no decisions have been made as to the proposed course of action for a future deployment. The decision regarding whether or how to move toward a national deployment will not be made until after the information from the Proof of Concept evaluation has been analyzed.



US-VISIT RESPONSE

The Draft EA prepared by US-VISIT took the requisite "hard look" at the potentially significant environmental effects of the implementation of a commercial, off-the-shelf technology and business concept at 5 Land Ports of Entry which was the stated Proposed Action. Prior to the definition of the Increment 2C POC, US-VISIT conducted environmental baseline studies to research and gather information that could be used once the site-specific parameters were determined. This EA built upon that approach and examined the potential for impacts to many resource areas including natural and physical impacts such as air quality, cultural resources, noise, and endangered species, as well as social impacts such as traffic, socioeconomic and health.

The comment letter indicates that US-VISIT did not provide sufficient analysis of socioeconomic, but it did not indicate how the analysis was deficient. US-VISIT disagrees with the characterization of the analysis as deficient. Section 3.4 of the EA analyzed the potential for socioeconomic impacts and concluded that there is no potential for significant effects as a result of implementation of the Proposed Action. The analysis was based on site-specific demographic information for each of the Proof of Concept sites as well as an analysis of the potential for impacts on a regional and national scale. This information was analyzed taking into consideration the importance of cross-border tourism and trade to the local and regional economies and the potential for impacts from adverse effects on wait times or barriers to trade. As a result of this analysis and the design of the Increment 2C POC process, US-VISIT determined that implementation of the POC will likely have a beneficial impact on socioeconomics due to the potential decrease in processing times as a result of implementation. In order to verify these assumptions during the 2C POC evaluation period, US-VISIT will conduct processing time studies at the five POC sites.

PACE has consistently supported legislation to expand staffing for our nations Ports of Entry and to ensure that they are otherwise well-equipped. For example, PACE strongly supported the Enhanced Border Security Act. The goal of this law is to make our borders the last line of defense. To that end, it includes the following provisions: authorizes increased funding for immigration and border functions; requires federal agencies to coordinate and share information needed to identify and intercept terrorists; encourages the use of new technologies by authorizing funds to improve technology and infrastructure for immigration functions, targeting much of this effort at strengthening our nation's borders; mandates the transmittal of advance passenger lists; and mandates a study to determine the feasibility of a North American Perimeter Safety Zone. (This study would include a review of the feasibility of expanding and developing pre-clearance and pre-inspections programs).

AILA

AILA is a voluntary bar association of approximately 9,000 attorneys and law professors practicing and teaching in the field of immigration and nationality law. AILA takes a very broad view on immigration matters because our member attorneys represent thousands of U.S. businesses and industries that sponsor highly skilled foreign professionals seeking to enter the United States on a temporary basis or, having proved the unavailability of U.S. workers, on a permanent basis. AILA members deal extensively with the various offices of DHS, including ports of entry, and with the State Department's consular posts.

National Environmental Policy Act

The National Environmental Policy Act of 1969 ("NEPA") requires that federal agencies give adequate consideration to the social impacts of proposed projects as well as the natural impacts. According to 40 C.F.R. §1508.14, the "human environment is to be interpreted comprehensively to include the natural and physical environment and the relationship of the people with that environment." Further, the United States Supreme Court established in *Robertson v. Methow Valley*, 490 U.S. 332 (1989), that agencies must take a "hard look" at the environmental consequences prior to taking a major action. We are concerned that the Draft EA, and in particular §3.4 ("Socioeconomics"), fails to take a "hard look" at the full spectrum of possible social and environmental effects, both locally and nationally, that may flow from this project.

Specifically, the Council on Environmental Quality's regulations require DHS to consider both the direct and indirect effects of Increment 2C. 40 C.F.R. §1508.8. Also, the environmental assessment process requires that several social impacts, such as economics, population density and growth rates, patterns of land use, cultural, and health impacts be considered both individually and cumulatively. 40 C.F.R. §1508.8(b) also requires DHS to consider reasonably foreseeable indirect effects that are caused by actions that are later in time or farther removed in distance.

Further, to properly determine whether an action is "significant," the agencies must evaluate both the context and intensity of their proposed action. 40 C.F.R. §1508.27. The regulations say several "contexts" must be adequately considered, such as society as a whole (human, national), the affected region and interests, and the locality. As an example, the regulation states that in a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Short and long term effects are also relevant.

Concerning intensity, 40 C.F.R. §1508.27(7) also specifically states that agencies need to consider whether an action is individually insignificant but is related to other actions that are cumulatively significant impacts. In determining significance, the regulation also states that agencies must consider whether the effects on the quality of human environment are likely to be highly controversial, whether the effects present highly unknown risks, and whether the action establishes a precedent for future actions or a decision in principle about a future consideration.

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## US-VISIT RESPONSE

The EA also identified other major projects planned at or adjacent to the five POC sites and considered the potential for the Proposed Action to contribute, cumulatively, to any significant environmental impacts that would be expected to result from other projects. As a result of comments received, the Final EA also included an analysis of additional projects that were planned in the vicinity of the proposed sites. Based on the analysis and substantive comments received, US-VISIT has concluded that this Proposed Action does not have the potential for significant effects. In addition, as noted in the Draft EA and the Final EA, US-VISIT will employ an adaptive management approach at the proof of concept sites allowing for monitoring and a 90-day evaluation period. If any unanticipated results arise during the proof of concept, US-VISIT can adapt the proposal accordingly to minimize or avoid those impacts. This approach is consistent with the recommendations of the NEPA Task Force and in accordance with the requirements of the National Environmental Policy Act and CEQ guidance.

Many of the concerns articulated in the comment letter submitted by ALLA and PACE are policy oriented statements regarding the US-VISIT program overall and do not address environmental considerations of the Proposed Action. Given the lack of specific concerns about the environmental analysis and the lack of a more detailed explanation as to how the EA fails to take a "hard look" at the "full spectrum" of possible impacts, US-VISIT is unable to address these concerns in detail. However, to the extent that a response can be framed, the following considerations are noted:

- The 1998 Senate Judiciary report referenced in the comment letter was prepared prior to the establishment of the US-VISIT program in 2003 and many of its comments and recommendations have been used in the development of US-VISIT. The discussion as to whether US-VISIT will prevent terrorism is an opinion statement that is not relevant to the analysis in the EA. US-VISIT implementation of the program is in response to Congressional mandates and it is being implemented in a manner to ensure that appropriate considerations are taken into account.

US VISIT: A Tool to Enhance Our Security without Harming our Economy?

We are concerned that the Draft EA fails to take the "hard look" required regarding US VISIT implementation. Specifically, it appears from the Draft EA that the DHS considers the concept to be tested to concern issues as to the functioning of specific technology only, and not a full testing and review of an entry/exit system that captures both entry and exit information using technologies such as radio frequency technology that is compatible with DHS' statutory mandate and its stated goals for US VISIT, and the fragile ecology of human environment at the border. A poorly conceived and improperly implemented system could have disastrous consequences for legitimate cross-border trade and travel.

Will US VISIT help to enhance our security? While the jury is still out, serious questions need to be addressed as to the achievable mission of US VISIT. A June 1998 Senate Judiciary Committee Report (Senate Judiciary Report 105-197 on S. 1360, Border Improvement and Immigration Act of 1998, June 1, 1998) makes the following apt comment:

The Committee is keenly aware that implementing an automated entry/exit control system has absolutely nothing to do with countering drug trafficking, and halting the entry of terrorists into the United States, or with any other illegal activity near the borders. An automated entry/exit control system will at best provide information only on those who have overstayed their visas. Even if a vast database of millions of visa overstayers could be developed, this database will in no way provide information as to which individuals might be engaging in other unlawful activity. It will accordingly provide no assistance in identifying terrorists, drug traffickers, or other Criminals.

With regard to tracking visa overstayers, the report further states:

Even if a list of names and passport numbers of visa overstayers would be available, there would be no information as to where the individuals could be located. Even if there was information at the time of entry as to where an alien was expecting to go in the United States, it cannot be expected that 6 or more months later the alien would be at the same location. Particularly, if an alien were intending to overstay, it is likely that the alien would have provided only a temporary or false location as to where the alien was intending to go.

While the Draft EA contains conclusory language to the effect that US VISIT will greatly enhance the nation's capacity to prevent terrorism, it does not address the above concerns in any meaningful way. Moreover recent government reports reveal that there is a high risk that US VISIT will not meet its stated goals. A summary of these reports follows:

\* In March of 2004, the U.S. General Accounting Office (GAO) conducted a study of US-VISIT and found that it is "inherently risky" because of the demanding and challenging implementation schedule, enormous potential cost, uncalculated and underestimated costs, and problematic program management. A link to the study follows: <http://www.gao.gov/highlights/04/04569high.pdf>

\* In a December 2004 report, the U.S. Department of Justice's Office of the Inspector General (OIG) found that the Department of Justice, Department of Homeland Security and the Department of State "have not agreed on a uniform fingerprint Technology Standard nor agreed how to develop a fully interoperable system that provides law enforcement agencies with 'ready and easily accessible' access to IDENT and US-VISIT immigration records as directed by Congress." A link to the report follows: <http://www.usdoj.gov/oig/inspection/plus/0501/final.pdf>

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## US-VISIT RESPONSE

- The possible enrollment of Canadian citizens into the US-VISIT program in 2008 as outlined by the repeal of the Western Hemisphere Exemption, Section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004, P.L. 108-258, is not part of the Proof of Concept and therefore not within the scope of the Proposed Action. The overarching requirement for Section 7209 is the establishment of a travel document requirement for persons entering the United States from contiguous territory. Discussions surrounding the proposed procedures and actions necessary to comply with this requirement have just been initiated and no final decisions about actions necessary to comply with this law have been made. The Department of Homeland Security is considering many possible ways of implementing the requirements of Section 7209. If US-VISIT does propose a plan to enroll Canadian citizens into the program and sufficiently defines the scope of that proposal such that a meaningful analysis is possible, the appropriate level of environmental analysis will be conducted at that time.
- Similarly, US-VISIT is not proposing to implement user fees as part of the Proposed Action for the Proof of Concept sites. The Proof of Concept is intended to provide data to inform the decision as to whether or not to proceed with nationwide implementation of this technology and business process. It is unclear from the comment letter which government policies are being relied upon to infer that user fees should be assessed. However, if user fees are added to a future plan for deployment, US-VISIT will do the appropriate environmental and socio-economic analyses at that time.

I.D. #

\* In its most recent study on US VISIT released in February 2005, the U.S. Government Accountability Office (GAO) found that a high risk remains that US VISIT will fail to meet its stated goals. Among other findings, the study found that DHS has failed to identify non-governmental costs such as social costs associated with adverse potential economic impact at the border that may be attributable to US VISIT implementation. A link to the study follows: <http://www.gao.gov/new.items/d05202.pdf>.

The Department of Homeland Security was established by The Homeland Security Act of 2002. Section 101(b)(1) of the Homeland Security Act of 2002 sets out the seven components that comprise the primary mission of DHS. Subparagraph (F) affirmatively establishes that an integral part of DHS' primary mission is to "ensure that the overall economic security of the United States is not diminished by efforts, activities, and programs aimed at securing the homeland." Moreover, DHS has indicated that one of its goals for US VISIT is for the system to facilitate legitimate trade and travel.

31 USC §9701, 8 CFR §235.7(a)(5)(iii), OMB Circular A-25 and other provisions of law, mandate that user fees sufficient to cover the costs of such technology and its administration are to be charged to the users of government programs. Given its statutory mandate, DHS should not be designing US VISIT without concern as to the amount of the user fee to be imposed to make the program self-sustaining when finalized, and the effect of said user fee on legitimate cross-border trade and travel.

Moreover, on the northern border, other than U.S. citizens, Canadian citizens form the largest number of border crossers. At present, for technical reasons established in the Data Integrity and Management Act, most Canadian citizens are exempt from US VISIT's requirements and not subject to payment of a fee when crossing the border. However, at a US VISIT stakeholders meeting held in Bellingham WA on January 25, 2005, DHS announced that it is exploring enrolling Canadian citizens into US VISIT in 2008 when a provision of The Intelligence Reform and Terrorism Prevention Act of 2004 takes effect that will require Canadian citizens to use passports containing certain biometric information when entering the U.S. A recent report by DHS' Inspector General also calls for subjecting Canadian citizen visitors to US VISIT. The Draft EA fails to address the effect on cross-border legitimate trade and travel of requiring Canadian citizens to enroll in US VISIT.

Based on the above discussion, and to facilitate DHS' ability to implement feasible security objectives without seriously harming the cross-border flow of legitimate trade and travel, we submit that at minimum the following should occur:

1. DHS Should Determine the Limits of US VISIT; DHS must step back and determine the program's true capabilities and assess the feasibility of every stage of the program while US VISIT is still in its infancy. The 1998 Senate report on the entry/exit program challenges the notion that an entry/exit system can be used as a tool to prevent terrorism. If that is true, its full scope of effectiveness must be determined now rather than after billions of US tax dollars have been spent. If the primary mission of US VISIT is instead to merely catch visa overstayers, the mission should be clarified. On the issue of national security, a false sense of security is a failure.
2. DHS Should Address the Issues Raised by the Government Reports Cited Herein. The December 2004 report clearly states that Department of Justice, the Department of State, and the Department of Homeland Security are not in agreement on basic US VISIT technology. The February 2005 GAO report states directly that DHS has failed to identify socioeconomic costs this program may have on border communities. NEPA's basic policy is to assure that all branches of



## US-VISIT RESPONSE

With respect to the request for an extension of the comment period and additional stakeholder meetings, the Draft EA was made available for a 30-day comment period that ended on March 26, 2005. Notice of Availability of the Draft EA and the associated comment period was provided to over 2,000 stakeholders, including private citizens, various business and government interests, elected officials, universities, law enforcement and others at local, state, federal, and international levels. In addition, US-VISIT maintains an ongoing communication and outreach effort through a variety of means including website communications, public speaking engagements, and participation in local community meetings. The plan for the Increment 2C POC has been communicated through all of these mechanisms. US-VISIT believes that the method of outreach and the time for comment were sufficient and consistent with the scope of the Proposed Action. Therefore, the request for an extension of the comment period will not be granted. However, US-VISIT does intend to continue its pro-active outreach approach and encourages continuing dialogue with stakeholders on present and future initiatives.

We look forward to your continued participation in US-VISIT outreach efforts and invite you to join our listserv that provides stakeholders with regular email alerts on the US-VISIT Program. If you would like further information, please visit our website at [www.dhs.gov/US-VISIT](http://www.dhs.gov/US-VISIT).

government give proper consideration to the human environment prior to undertaking any major federal action. The Draft EA is deficient in these respects, and the failure to adequately address these issues constitutes an arbitrary and capricious analysis.

3. DHS Should Examine the Potential Impact of Foreseeable Consequences of US VISIT. Government policy calls for user fees to defer the cost of programs such as US VISIT. It is foreseeable that an increase in the cost of cross-border travel in the form of an increased user fee will lead to a significant decrease in international trade and commerce. DHS has failed to take a hard look at this issue in the Draft EA, and a study on the long term costs of Increment 2C technology if implemented nationwide as well as the effect of increased user fees on those visiting the U.S. should be included as part of an EIS regarding Increment 2C testing and implementation.
4. DHS Should Hold Additional Stakeholder Meetings for Local Communities And Extend the Period for Comment. Border communities are dependent on steady flows of cross-border visitors, and accordingly they have a significant stake in US VISIT. These communities experienced a dramatic downturn in cross-border visitors after September 11th, a decrease which corresponds directly to increased security measures at the nation's borders. On the northern border, the number of cross-border visitors continues to be down, even with the rising value of the Canadian dollar. Stakeholders need to be adequately on notice and able to provide comment on the program.
5. Develop a More Comprehensive Plan for US VISIT Prior to Proofing Concepts: DHS should use the above assessments to develop a comprehensive plan for US VISIT that takes into account the achievable goals of the program, necessary funding levels, infrastructure needs, and appropriate deadlines. For example, any comprehensive plan needs to take user fees into account as part of the broad vision concerns set out above. The Draft EA fails to address user fees assessed to visitors to the US if the Increment 2C technology proves to be workable from a technical standpoint, and is incorporated into US VISIT nationwide. To conduct Increment 2C testing for incorporation into US VISIT without concern as to the long-term user fees charged to international travelers, if Increment 2C technology is adapted for final use, ignores DHS' statutory mandate as well as an articulated goal for US VISIT.
6. Determine the Effect to Cross-border Trade and Commerce if Canadian Citizens Are Required to Participate in US VISIT: At the present time most Canadian citizens are exempt from US VISIT. Given staffing and infrastructure constraints at Land Ports of Entry on the Northern Border it is difficult to conceive of enrolling Canadian citizens into US VISIT without causing hours long waits at the border. The Draft EA does not address the ability of US VISIT to process Canadian visitors in a fashion that does not cause substantial disruptions to legitimate trade and travel despite the fact that DHS is actively exploring requiring Canadians to participate in US VISIT.

### Conclusion

Based on the foregoing, it is abundantly clear that DHS Increment 2C testing carries the potential for significant impact which must be explored (and disclosed) through preparation of an EIS.

Sincerely,

PACIFIC ENTERPRISE COUNCIL  
AMERICAN IMMIGRATION LAWYERS ASSOCIATION

I.D. #



## US-VISIT RESPONSE

1. US-VISIT appreciates your interest in the 2C Proof of Concept Draft Environmental Assessment (EA). The Draft EA was prepared in accordance with the National Environmental Policy Act to examine the potential for significant environmental impacts as a result of the Proposed Action and to determine whether an Environmental Impact Statement (EIS) would be required. As a result of this analysis and after a review of the public comments received on the Draft EA, US-VISIT has concluded that the implementation of the Proposed Action for the Increment 2C POC will not result in significant environmental impacts.  
 As stated in the draft EA, US-VISIT is taking a measured approach to implementing an entry-exit system at land ports of entry by choosing a proposed action that is the testing and review of an entry-exit system on a very limited scale. The purpose of the Proof of Concept is to inform and allow US-VISIT to develop a well-conceived and properly implemented "entry-exit" system before making determinations about further deployment. US-VISIT has undertaken a careful review of the Proposed Action including an analysis of potential traffic impacts and any associated impacts to natural and physical resources using available data and proven modeling and simulation methods and analysis. The use of modeling and analysis based on existing environmental and site data is an appropriate means to assess the potential for impacts. This analysis has allowed US-VISIT to carefully consider and study the potential impacts of the 2C POC prior to implementation. US-VISIT has taken a careful look at the specific issues articulated in your comments as they relate to the implementation of the 2C POC and offers the following responses:  
 The implementation of the POC will likely have a beneficial impact on wait times due to the potential decrease in processing times as a result of implementation. This expected decrease in processing time is a result of the improved data that will be made available to the CBP Officer regarding the identity of the individual traveler, and is consistent with the improved processing times (e.g., automated generation of I-94 travel documents) of in-scope travelers following implementation of Increment 2B. In order to verify these assumptions during the Increment 2C POC evaluation period, US-VISIT will conduct processing time studies at the five POC sites and thus, the Proposed Action is, in fact, part of the "careful consideration and study" prior to a decision regarding full implementation. The Preferred Alternative will be implemented in a manner so as to not impact vehicular and pedestrian flow through each of the five LPOEs. Implementation of the Preferred Alternative will not change the number of in-scope travelers processed in secondary, is not expected to result in an increase in processing time (and is likely to decrease processing time), will not change traffic patterns at the LPOEs, vehicles will not be stopped or delayed on exit and if there is a substantial system failure, then the POC will be suspended at the LPOE and normal operating processes will continue.
- 2.

I.D. #

Greg Boos  
 Chang & Boos  
 Bellingham, Washington  
 Port: Peace Arch – Blaine  
 (Letter following)

**Comment:**

US-VISIT Program  
 (Land) Comments  
 ATTN: Facilities Director  
 P.O. Box 587  
 Arlington, VA 22216-05897

RE: Draft Environmental Assessment US VISIT Increment 2C Proof of Concept at Select Land Ports of Entry (February 24, 2005)

Dear Facilities Director:

This letter is submitted in comment to the February 24, 2005 Draft Environmental Assessment for US-VISIT Increment 2C: Proof of Concept at Select Land Ports of Entry ("EA"). We are of the opinion that Increment 2C presents a "significant" federal agency action with the potential for adverse environmental impacts, requiring further fact-finding on the direct, indirect, cumulative, and reasonably foreseeable effects of the proposed action. We wish to echo the comments submitted by the American Immigration Lawyers Association and the Pacific Enterprise Council to the EA, and in addition submit that it is reasonably foreseeable that this action, and the foreseeable actions that flow from this action, could have an adverse impact on the natural environment.

Specifically, the Senate Judiciary Committee found that the environment and highway safety would potentially suffer from the implementation of an automated entry/exit system at land ports of entry. The Committee states in Senate Report 105-197:

As the American Trucking Association and the President of the Detroit International Bridge Company pointed out, long lines of idling vehicles would emit high and continuous levels of pollution. Long waits would also cause drivers to become overtired and highway safety would be compromised as well. These issues should likewise be studied and carefully considered before any such problems are imposed.

By definition, an environmental assessment is a concise public document which briefly determines whether an agency action will impact the environment. Whereas the EA proposes a "proof of concept" testing method which does "intend" to not increase current wait times or otherwise degrade traffic flow patterns, the gravity of the harm to the environment in failing to accomplish this mission is great. As the Senate Judiciary Committee states, this is a matter requiring careful consideration and study, prior to implementation. Traffic delays caused by any number of foreseeable events, such as construction delays, a failure in the RFID system technologies, or improperly educated users and officers, may lead to an increase in local air pollutants, noise, and water pollutant runoff. Similarly, traffic delays would be caused by the addition of Canadian citizens to US VISIT registration requirements because of infrastructure and staffing deficiencies at ports of entry on the nation's northern border. Because their workplace is on the border, Customs and Border Protection Officers may be at greatest risk for harm caused by such extended delays.

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**US-VISIT RESPONSE**

(cont.)

2. Therefore, US-VISIT has determined that the POC will not result in significant impacts to resources typically associated with traffic impacts including air quality, noise, trade, travel, or commerce at the five POC locations. The possible enrollment of Canadian citizens into the US-VISIT program in 2008, as outlined by the repeal of the Western Hemisphere Exemption, Section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004, P.L. 108-258, is not part of the POC and therefore not within the scope of the Proposed Action.
3. a. As part of US-VISIT's environmental planning approach, analysis of variables that could increase current wait times upon entry, degrade baseline level of service (LOS) for free-flow exit lanes, or significantly degrade LPOE traffic patterns, were evaluated in the Draft EA (Section 3.3.2). US-VISIT has determined that the Preferred Alternative will not result in a change in the vehicle mix, the number of in-scope travelers processed, the number of monthly crossings at each of the five LPOEs, or the capacity of the LPOEs to process vehicles or pedestrians. The implementation of the POC will likely have a beneficial impact on wait times due to the potential decrease in processing times as a result of implementation. In addition, vehicles will not be stopped or delayed on exit. Unanticipated temporary impacts will be addressed at each LPOE through an adaptive management process. Should potentially significant impacts be identified during the Phase I testing period that could not be foreseen, it is US-VISIT's intent to not proceed with Phase II pending further analysis. Adaptive management actions for unanticipated impacts could vary from those described above to cessation of the Increment 2C POC.
 

With respect to air quality, the "hypothetical and very conservative worst case condition" scenarios provided a scientific basis for US-VISIT planning initiatives and subsequent support and documentation for evaluating potential impacts/effects to air quality due to a Proposed Action, such as that proposed for the Increment 2C POC. Since there is no expected increase in wait times as discussed in the EA, the selection of a 10-second increase in wait time at primary inspection is both reasonable and representative of a very conservative worst case condition. The 10-second increase in wait time was applied to the BorderWizard traffic modeling and then applied to the air quality microscale model (CAL3QHC), which demonstrated no significant impact to that of the baseline condition, thus confirming that no impact will occur as a result of the Proposed Action as described.

The EA does not adequately account for the possibility of long delays. For example, the EA does not complete a formal carbon monoxide ("CO") microscale model for Peace Arch or Pacific Highway. (Appendix C, p. 15). The offered justifications are that Blaine's air quality is in attainment, and that studies of busier ports of entry do not demonstrate CO impacts. However, these busier ports have not tested an automated exit system. Moreover, the worst-case scenario presented in the EA is an arbitrary 10 second increase in processing time from current conditions, which does not reflect a true "worst case scenario" caused by a construction delay or technology failure. (Appendix C, p.1). The EA is similarly conclusory in its analysis of noise, in that it says that Blaine will implement the preferred alternative, which will not cause additional delays, and so there will be no change in noise levels. (Appendix D, p. 5.) Concerning water pollution, the EA does not account for non-point source pollution which may increase in the event of delays at the border.

An automated entry/exit program has the potential to greatly change traffic patterns at the border. Further fact-finding is in order to be certain the proof of the concept does not have adverse affect on the selected communities for the study.

Sincerely,

Greg Boos

W. Scott Railton

California Department of Transportation, District 11 (Caltrans), (Letter following)

I.D. #

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b.

c.

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## US-VISIT RESPONSE

3. (cont.)
  - b. As discussed previously and in the EA, US-VISIT has determined that the Preferred Alternative will not result in a change in the vehicle mix, the number of in-scope travelers processed, the number of monthly crossings processed at each of the five LPOEs, the current speed limits on entry or exit, or the capacity of the LPOEs to process vehicles or pedestrians. In addition, without a demonstrated potential for an increase in wait times, there is no potential for an increase in queue lengths from current baseline conditions, thus, there will be no change in baseline noise conditions at each of the five LPOEs and therefore no impact.
  - c. There will be no negative impacts to surface water quality as a result of implementing the Preferred Alternative. Non-point source pollution is a result of fugitive emission of fluids from vehicles, particularly during idling. US-VISIT has determined that the Preferred Alternative will not result in a change in the vehicle mix, the number of monthly crossings processed, the capacity of the LPOEs to process vehicles or, as discussed in (b) above, no increase in queue lengths. Because wait times may actually decrease and processing times in secondary may decrease resulting in shorter stays, there is the potential for a reduction in non-point source pollutants when compared to the existing baseline condition.
4. US-VISIT appreciates your input and the comments provided on the Draft EA, and invite you to join our listserv that provides stakeholders with regular email alerts on the US-VISIT Program. If you would like further information, please visit our website at [www.dhs.gov/US-VISIT](http://www.dhs.gov/US-VISIT).

**CHANG & BOOS (Continued)**

US-VISIT RESPONSE

I.D. #

1.

Isac Feldstein  
Vancouver, BC, Canada

**Comment:** Spell out "Environmental Assessment" in newspaper ad rather than "Draft EA."

1. Comment noted.