US-VISIT Programmatic Environmental Assessment on Potential Changes to Immigration and Border Management Processes

April 10, 2006

Homeland Security

US-VISIT

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The New Reality

On September 11, 2001, nineteen terrorists, many in the country illegally, plotted and executed atrocities against the United States. This tragedy altered the direction of the U.S. immigration and border management process.

Shortly after the events of September 11, 2001, a Commission was formed to investigate how such a tragic event could have occurred. The Commission was an independent, bi-partisan, 10-member group established by Congress and President George W. Bush. Among other things, the 9/11 Commission found "…two systemic weaknesses came together in our border system's inability to contribute to an effective defense against the 9/11 attacks: a lack of well-developed counterterrorism measures as part of border security and an immigration system not able to deliver on its basic commitments, much less support counterterrorism" (9/11 Commission, 2004, p384).

The Problem

The complexity of the immigration and border management process has increased due to the need to share information among many different agencies. The border encompasses a large geographic area of 7,514 miles of border and 95,000 miles of shoreline. Currently there are nearly 1,000 land ports, airports, seaports, pre-clearance stations in Canada and the Caribbean, Customs and Border Protection (CBP) Regional Offices, CBP Field Operations Offices, Detention and Removal Service Processing Centers (SPCs), USCIS (Citizenship and Immigration Services) District and Sub-Offices, USCIS Service Centers, USCIS Application Support Centers (ASCs), Immigration Customs Enforcement Special Agent In Charge (ICE-SAC) Offices, and Diplomatic and Consular Posts throughout the world which are all used to process and control the flow of people coming to, staying in, and leaving the United States. (See Figures 1-3.) These agencies and locations all play key roles in the immigration and border management community.

The ability to appropriately access and share real-time, transaction-level data in a secure fashion represents an increasing national security need throughout the immigration and border management community. Overlaying the evolution of this complex physical network are rapid technological changes (such as increased computer capacity and integration capabilities, remote sensing, biometric scanning, the internet and wireless networking). In this changing technological environment, the agencies responsible for securing our borders have relied on non-integrated mainframe-computer networks and databases, and paper-based processes for making decisions. Many of these agency-specific, mission-critical systems are aging and do not easily accommodate electronic transfer of information. Even today, when there is an emphasis on information sharing, this remains a difficult endeavor.

Addressing the Problem

Following September 11, 2001, a number of legislative, regulatory and policy initiatives were instituted to address security issues, including the formation of the Department of Homeland Security (DHS). Although many laws and regulations requir-

ing improvements to immigration processes predated September 11, the attacks brought renewed focus to the importance of these initiatives. DHS was formed to provide a unifying core for the vast national network of organizations and institutions involved in efforts to secure the nation. Under DHS, the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program was established to develop entry and exit processes and integrate immigration data and processes with other DHS agencies including CBP, ICE, USCIS and the Transportation Security Administration (TSA). US-VISIT also works in partnership with the Department of State (DOS), the Department of Justice (DOJ) and the Department of Transportation (DOT). The goals of US-VISIT are to enhance the security of our citizens and visitors; facilitate legitimate travel and trade; ensure the integrity of our immigration system; and protect the privacy of our visitors.

The Proposed Action
Through a multi-agency coordinated effort, US-VISIT is considering implementing potential changes to immigration and border management processes. Changes call for a program to establish:

- A system for capturing the unique identity of travelers (establishing a biometrically-based unique identity once for an individual at the earliest interaction, such as fingerprints at visa issuance posts).

- A system of data quality and standardization (such as developing data standards, requirements for metadata, system for data archiving).

- An integrated computer network that will provide the right information to the right users in the right context (data integration across agencies, such as displaying the necessary information to the decision-maker at subsequent interactions

and associating information captured during a subsequent interaction to the individual's established unique identity).

- A system for recording and associating entry, exit and status events (such as enhanced processing and relational database development and management which would enhance search algorithms to improve the ability to match information to an individual).

This approach would rely heavily on technology solutions supported by physical infrastructure changes (such as construction of remote sensors/readers, installation of data transmission cables and/or towers, and infrastructure necessary to support the equipment). This approach would result in some movement of processes away from ports of entry to other existing immigration and border management facilities where other types of immigration and border management processing are already taking place.

Considering the Environment
Under the National Environmental Policy Act (NEPA), decision-makers are required to be aware of the environmental consequences of their decisions before they act. US-VISIT has prepared this Programmatic Environmental Assessment (PEA) to consider the environmental effects of these proposed changes as well as reasonable alternatives. US-VISIT took a programmatic approach to the analysis because no matter where implemented, the proposed actions have common timing, common impacts, common alternatives, common methods of implementation and common subject matter. This programmatic analysis will inform policy and strategy development for modifying plans or systems in order to minimize potential environmental impacts. This approach allows decision-makers to prepare tiered analyses to discuss the particular resources and potential impacts at site-specific locations or for specific initiatives and to allow for implementing the appropri-

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ate mitigation, monitoring and adaptive management techniques before moving forward with specific proposals on the ground.

Considering the Alternatives

For the purposes of this analysis, the proposed action by US-VISIT will be referred to as the Hybrid Alternative. The term Hybrid captures a blend of technological and physical resource solutions that would be used to meet the purpose and need. Against this proposed Hybrid Alternative, three other alternative approaches were considered in this PEA. These alternatives were as follows:

1) *No-Action Alternative*: This alternative calls for current processes for assessing individuals and planned improvements and/or increases to facilities, infrastructure, technology and staff to continue at the current rate without significant change. Entry, exit and status processes would continue as they are today with little, or virtually no infrastructure in place for exit processing. Existing challenges and gaps in information management processes would remain.

2) *Physical Border Alternative*: This alternative calls for expansion of existing ports of entry to meet demand for increased data collection to support the required interaction with a government official at every encounter. This alternative would introduce exit processes that mirror current entry processes as well as the physical infrastructure. This alternative also calls for constructing or reconstructing immigration and border management facilities, expanding lanes and roads at entry and exit points, and adding additional processes and personnel to meet the purpose and need described above.

Insufficient space for expansion presents a significant challenge at some of the busiest land border ports of entry.

3) *Virtual Border Alternative*: This alternative seeks to move processes abroad to pre-position information for border decision-makers and use information technology and automated processes such as remote readers and smart chips to increase data acquisition at subsequent points of interaction. This is a technology focused alternative which would rely on decentralized acquisition of data (mostly abroad) and integrated databases so that decision-makers can access all appropriate information without collecting it at that point. Under this alternative, most immigration and border management processes currently taking place at land border ports of entry would be moved and combined with processes that occur at other facilities overseas and in the United States, resulting in a dispersion of processes away from the land border.

These actions, taken under the various alternatives, would occur within virtually every ecosystem in the United States. Within these ecosystems are rare, threatened and endangered species; non-attainment air quality areas; sensitive cultural and American Indian resources, and economies dependent on cross border trade. Of all the immigration and border management facilities, land border ports of entry are the places where changes in processes and infrastructure are more likely to affect the environment and are therefore the focus of this analysis.

Summary of Findings

This PEA is a qualitative analysis of the potential impacts to the natural environment. US-VISIT determined potential environmen-

tal impacts through the use of rank order data and expert judgment and through application of previous analyses and documentation. Findings are expressed categorically and alternatives are ranked in order of their potential to impact the environment (least to greatest environmental impact).

The top two alternatives in order of environmental preference are the Virtual Border Alternative and the Hybrid Alternative. While neither alternative would produce significant environmental effects, the Virtual Border Alternative ranks higher because it is assumed that information technology approaches, especially

Rank Order Findings Least to Greatest Environmental Impacts by Alternative:

- Virtual Border
- Hybrid
- No Action
- Physical Border

involving wireless transmission of data, in-motion recording of vehicles and individuals, and decentralized data collection and analyzing, could minimize impacts to wait times; some data collection would be pushed out to, and coordinated with, other countries and therefore reduce impacts on the environment at the border (e.g. the shorter the wait time, the less air pollution from idling vehicles, and the faster goods move through the border). The Hybrid Alternative ranks somewhat lower because more processing would be required at the land ports of entry. The Hybrid Alternative would have a medium level of impact on air quality, biological resources, energy, socioeconomics and water resources.

Although the Virtual Border Alternative ranks slightly higher than the Hybrid Alternative in terms of environmental preference, neither alternative has significant impacts; the Hybrid Alternative is the proposed action because it ranks higher with respect to the

other screening criteria considered by US-VISIT. In particular, the Hybrid Alternative is considered to be preferable from an operational standpoint because the costs for the development of this alternative are potentially the lowest, while being the most feasible for development. In particular, this alternative utilizes the skills of trained government employees in the immigration and border management community, whose decisions can not be automated or outsourced while maintaining the highest data integrity and likelihood of protecting the privacy of individuals, thereby reducing fraud. Where possible, these government employees would be augmented with technology as a force multiplier to expedite travel and trade.

A summary of potential environmental impacts by resource area and alternative is included in Table 1-Summary of Potential Environmental Impacts by Alternative.

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Table 1-Summary of Potential Environmental Impacts by Alternative

RESOURCE	ALTERNATIVE			
	Virtual	Hybrid	No Action	Physical
Air	1	1.5	2.5	3
Biological	1	2	1	3
Energy	2	2	2	2
Cultural and American Indian	1	1	1	2
Land Use	1	1	1	3
Noise	2	1	2.5	3
Socioeconomics/Environmental Justice	1	1.5	3	3
Waste	1	1	1	1
Water	1	2	1	2

Notes:

1-Green: Low levels of impact, in the context of this environmental assessment, mean that associated changes in activities, activity levels or processes will likely result in no or few adverse effects on the quality of the human environment at the programmatic level. These impacts do not require mitigation and are well-below statutory, regulatory or policy thresholds for environmental protection (for example, the Clean Water Act, CEQ NEPA regulations, or an executive order).

2-Yellow: Medium levels of impact mean that associated changes in activities, activity levels or processes will likely result in modest adverse effects on the environment at the programmatic level. These effects are short in duration or low in intensity and do not rise to a level of significance. Medium impacts do not create effects that exceed statutory, regulatory or policy thresholds for environmental protection.

3-Red: High levels of impact mean that associated changes in activities, activity levels or processes will likely result in some adverse effects on the environment in certain contexts (e.g., LPOEs located in nonattainment areas). The level of these impacts is dependent upon the context and the degree of intensity and duration of changes and effects at the programmatic level. High impacts are not necessarily significant impacts. Significant impacts are adverse impacts in a specific context that would yield intense impacts of a long duration or violate statutory, regulatory or policy thresholds for environmental protection.

In order of potential environmental effects, the Physical Border Alternative has the greatest potential for direct environmental impacts. This is due to an increase in traditional construction activity, an increase in impervious surfaces, and the addition of exit stations and associated vehicle wait times which would likely result from implementing this resource-heavy alternative. The No-Action Alternative has the second greatest potential impact in the rank ordering, with impacts associated primarily with air and noise, and the trans-boundary dispersion of those air and noise emissions. These impacts are related to increased wait times associated with limited facilities from limited data or technology available to inspectors that could translate to longer inspection times. Socioeconomic effects are high in both these alternatives due primarily to the effects on trade, commerce and tourism.

Monitoring

Although none of the alternatives are expected to result in significant impacts, due to the nature of this impact analysis, there are reasons to monitor the operations of the program at the land ports of entry. Impact analysis is sensitive to: 1) the complexity or unique nature of a specific environment; 2) the frequency or growth of trade or commerce; 3) changing demographics; and 4) changing operations. US-VISIT will develop a toolbox that will serve as a resource for decision-makers throughout DHS and the immigration and border management community for ideas and methods of avoiding and minimizing environmental impacts.
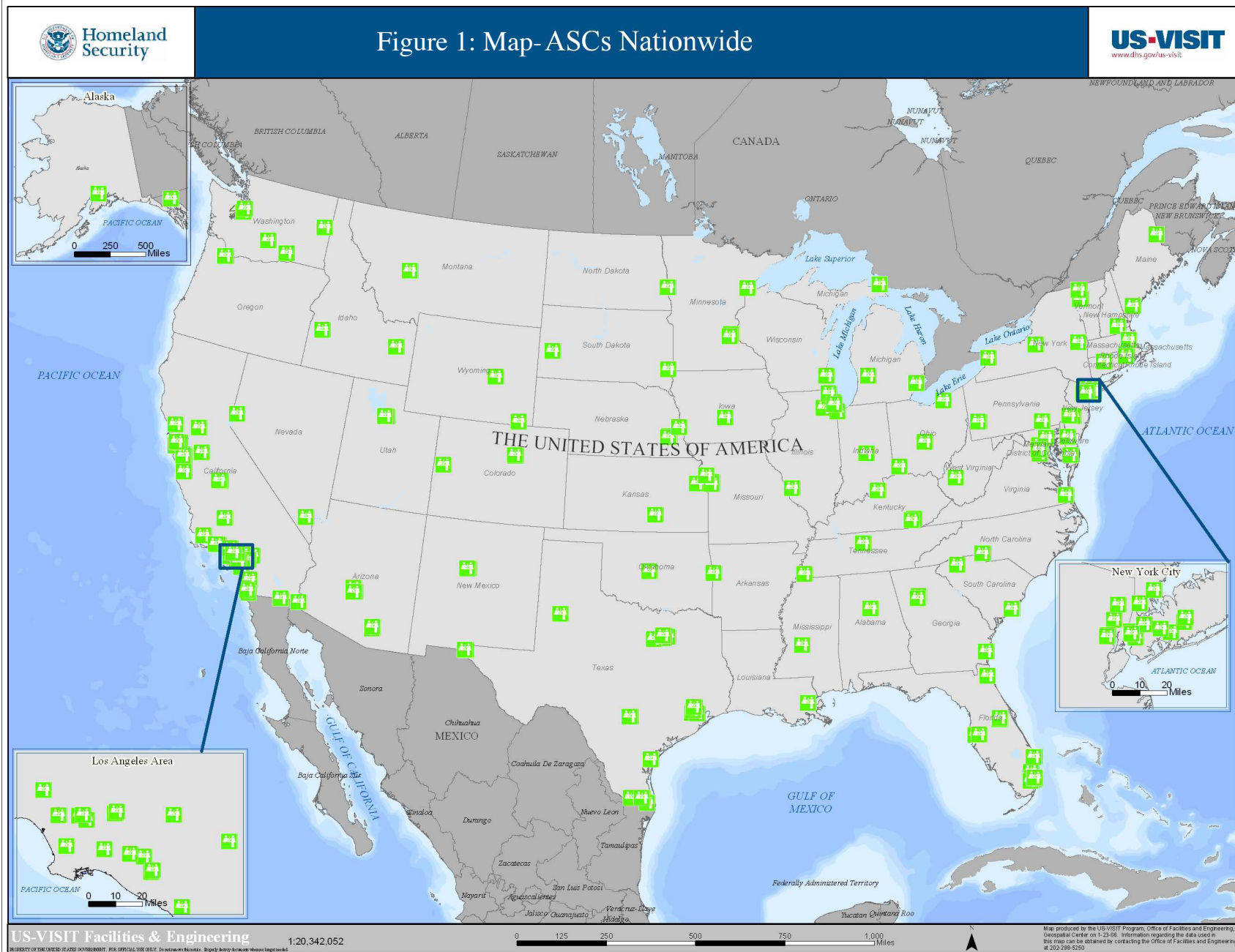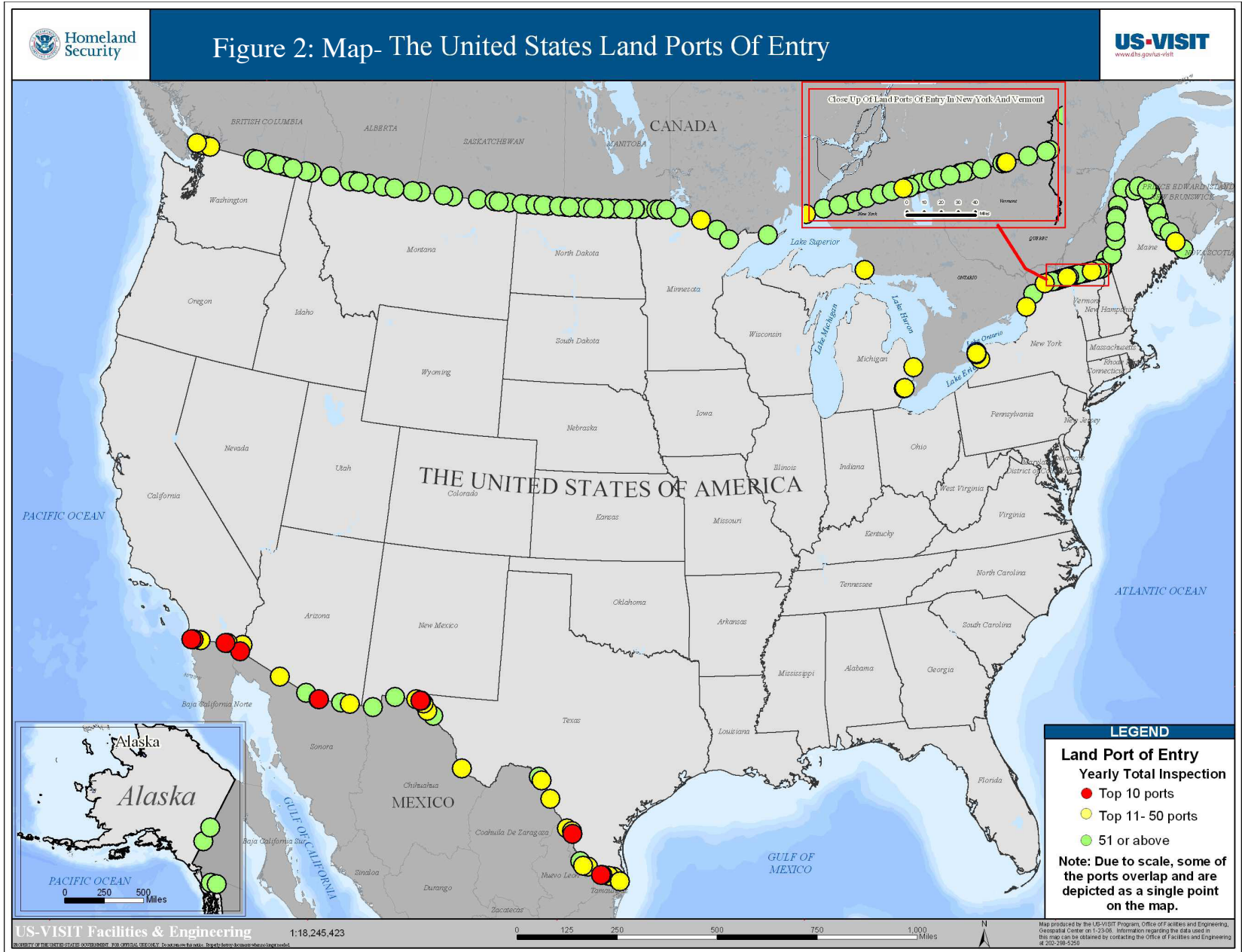
Conclusion

When implementing any actions, the following should be considered: To the extent that data collection and data management are diffused to consular offices, domestic ASCs, other locations and foreign government facilities instead of focused on ports of entry, impacts would be avoided or minimized. Thus, unless extraordinary circumstances exist, such as construction of a new facility on previously undisturbed land, implementation of the proposed actions in these locations would not need further analysis. To the extent that wireless transmission of data is used (over installation of underground cable/fiber optics) impacts would be minimized. To the extent that processes and organizational arrangements are refined instead of building physical infrastructure, impacts would be minimized. To the extent that system processes and organizational changes are made incrementally, after pilot testing, and incorporate adaptive management principles, impacts would be minimized. In general, geographically diffused systems relying on highly technical solutions, implemented with appropriate processes and training, would likely produce the least environmental effects. Also, processes are more important than particular brands of electronic equipment that perform the same function. Consequently, decisions about purchasing electronic equipment (when there is no discernable difference among brands and the equipment is constructed, installed, and used in a manner that meets all applicable requirements to protect the environment and human health) for implementation of the proposed action needs no further consideration under NEPA. Discussions about different types of technology may trigger environmental analysis under NEPA.

This PEA determined that no significant impacts would result, at a programmatic level, related to implementing the proposed action (Hybrid Alternative) or Virtual Alternative. Through tiered analyses, decision-makers may identify impacts at specific locations or for specific initiatives, and develop mitigation, as appropriate, to use to minimize those potential environmental effects.

Executive Summary

Figure 1: Map-ASCs Nationwide

Figure 2: Map- The United States Land Ports Of Entry

Figure 3: Map-**US-VISIT Program Seaports And Airports**
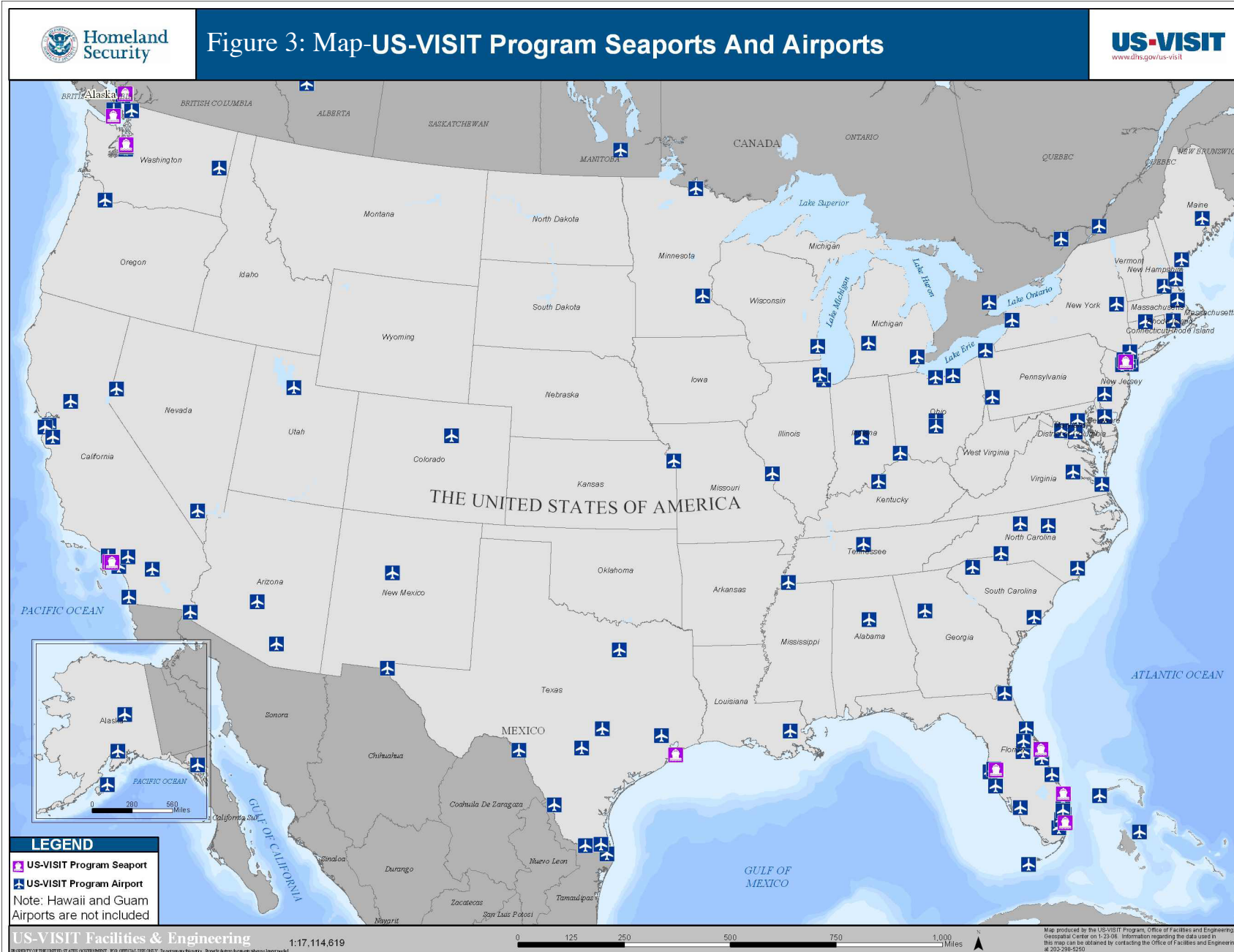
2-INTRODUCING THE PROGRAMMATIC RATIONALE AND ANALYTIC METHODS

The Department of Homeland Security (DHS) is charged to: increase overall preparedness, particularly for catastrophic events; create better transportation security systems to move people and cargo more securely and efficiently; strengthen border security and interior enforcement and reform immigration processes; enhance information sharing with our partners; improve DHS financial management, human resource development, procurement and information technology; and realign the DHS organization to maximize mission performance.

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 enhancing the security of the country's air, sea and land border ports while facilitating legitimate travel and trade and respecting privacy. US-VISIT, along with other immigration and border management agencies and the Department of State (DOS), the Department of Transportation (DOT) and the Department of Justice (DOJ), has been evaluating how to achieve those needs, concerns and goals.

This first level of US-VISIT implementation planning identified the need for an efficient process for establishing an integrated system which would ensure the following:

- A system for capturing the unique identity of travelers (establishing a biometrically based, unique identity once for an individual at the earliest interaction, such as fingerprints at visa issuance posts).

- A system of data quality and standardization (such as developing data standards, requirements for metadata, system for data archiving).

- An integrated computer network that will provide the right information to the right users in the right context (data integration across agencies, such as displaying the necessary information to the decision-maker at subsequent interactions and associating information captured during a subsequent interaction to the individual's established unique identity).

- A system for recording and associating entry, exit and status events (such as enhanced relational database development and management which would search algorithms to improve the ability to match information to an individual).

The National Environmental Policy Act (NEPA) provides for the consideration of environmental issues in any federal planning and decision-making process (42 U.S.C. 4322). Prior to making any decisions about specific implementation of plans, US-VISIT must, as required under NEPA, conduct an assessment of potential environmental impacts of their proposed action. Since the planning and decision-making is at a broad level, the appropriate analysis is programmatic. As US-VISIT develops and refines implementation plans for various initiatives, the appropriate decision-makers will conduct tiered analyses at appropriate levels, when those implementation plans are developed.

This Programmatic Environmental Assessment (PEA) is a qualitative analysis of the potential impacts to the natural environment. US-VISIT determined potential environmental impacts by reviewing plans and programs; technical literature; environmental baseline data; and previous analyses; and by applying expert judgment. The qualitative approach is connected to an adaptive management approach through recommended monitoring and mitigation strategies for certain types of potential environmental impacts. (See Section 6-Predicting the Effects.) Alternative approaches for

Rationale & Methods

Rationale & Methods

meeting the purpose and need are compared against the proposed action, and are rank ordered based on their potential environmental impacts. The impact levels of 3-red, 2-yellow, and 1-green are defined below:

- 1-green: Low levels of impact, in the context of this environmental assessment, mean that associated changes in activities, activity levels or processes will likely result in no or few adverse effects on the quality of the human environment at the programmatic level. These impacts do not require mitigation and are well-below statutory, regulatory or policy thresholds for environmental protection (for example, the Clean Water Act, CEQ NEPA regulations, or an executive order).

- 2-yellow: Medium levels of impact mean that associated changes in activities, activity levels or processes will likely result in modest adverse effects on the environment at the programmatic level. These effects are short in duration or low in intensity and do not rise to a level of significance. Medium impacts do not create effects that exceed statutory, regulatory or policy thresholds for environmental protection.

- 3-red: High levels of impact mean that associated changes in activities, activity levels or processes will likely result in some adverse effects on the environment in certain contexts (e.g., LPOEs located in nonattainment areas). The level of these impacts is dependent upon the context and the degree of intensity and duration of changes and effects at the programmatic level. High impacts are not necessarily significant impacts. Significant impacts are adverse impacts in a specific context that would yield intense impacts of a long duration or violate statutory, regulatory or policy thresholds for environmental protection.

In addition, this PEA analyzes the potential for benefits to the environment from implementation of the alternatives, relative to the No-Action Alternative. The Adaptive Management sections of this PEA, (captured in Sections 7-Monitoring the Effects of Ongoing Activities, and Section 8- Adapting per Monitoring Results) contain approaches to mitigating or lessening the severity of types of impacts, not necessarily specific proposals to reduce specific impacts to negligible levels at specific sites. As the immigration and border management community moves forward on various initiatives, they will employ various methods with which to gather information at more site-specific levels, support appropriate monitoring efforts and guide more exact mitigation plans. These specific mitigation plans would be included in tiered analyses.

3-IDENTIFYING THE PURPOSE AND NEED

The immigration and border management community continues to face significant challenges. These challenges include a large volume of individuals crossing our borders, increased globalization of our economy, complex requirements of DHS and other government agencies, the vast geographic scope of our borders and the extremely high and often differing expectations of federal agencies, business and individuals. The immigration and border management community must quickly, accurately and consistently distinguish potential threats from hundreds of millions of legitimate individuals. The events of September 11, 2001, emphasized the need for further enhancements to the immigration and border management processes.

The complexity of the immigration and border management processes has increased due to the need to share information among many different agencies. The border encompasses a large geographic area of 7,514 miles of border and 95,000 miles of shoreline. Currently, there are nearly 1,000 land ports, airports, seaports and a wide array of other facilities in the United States and around the world which are all used to process and control the flow of people coming to, staying in and, and leaving the United States.

A large volume of individuals are processed daily, in a complex decision-making environment across a wide-geographic area. On a daily basis, the immigration and border management community conducts over 1.1 million inspections, apprehends over 2,000 aliens, captures over 8,000 sets of fingerprints and processes 30,000 benefits applications. These decisions take place among different types of travelers all with various travel documents, within varied and often conflicting policies, processes and legislative mandates. There is limited time to spend with individuals for processing, and a need to overcome language and cultural barriers and deal with legitimately changed names and citizenship. CBP Officers, in some cases, manually enter names into a computer to search multiple databases for background and admissibility information and make visual determinations about whether a person matches the identity of the document presented (e.g., passport or driver license).

Overlaying the complex physical and decision-making networks are rapid technological changes (e.g., increased computer capacity and integration capabilities, remote sensing, biometric scanning, the internet, and wireless networking). In this changing technological environment, the agencies responsible for securing U.S. borders have relied on non-integrated mainframe computer networks and databases, and on paper-based processes for making decisions. Many of these agency-specific, mission-critical systems are aging and do not easily accommodate electronic transfer of information. Even today, when there is an emphasis on information sharing, this remains a difficult endeavor. The ability to exchange real-time, transaction-level data in a secure fashion represents an increasing national security need throughout the immigration and border management community.

To maximize the safety and security of our borders while increasing the efficiency and effectiveness of the immigration and border management processes, US-VISIT must meet a number of objectives. These objectives include the following:

- Increase the coordination among federal agencies and with other governments.

- Improve identification of individuals.

- Facilitate legitimate travel and trade.

Purpose & Need

- Increase sharing of information and analysis of information within and among other agencies.

- Maintain or improve the flow rate of legitimate individuals through our borders.

- Prevent the entry of potential terrorists and other criminals while protecting privacy and maintaining strong international cooperation and positive relations with other countries.

4-ESTABLISHING THE ALTERNATIVES AND DESCRIBING THE PROPOSED ACTION

US-VISIT is proposing potential changes to current immigration and border management processes. These processes would incorporate eligibility determinations made by both the Departments of Homeland Security and State (DHS and DOS). The potential changes would be part of a continuum of enhanced security measures that begins overseas and continues through a visitor's arrival in and departure from the United States. Changes call for a program to establish:

- A system for capturing the unique identity of travelers (developing a biometrically-based unique identity once for an individual at the earliest interaction, e.g., fingerprints at visa issuance posts).

- A system of data quality and standardization (developing data standards, requirements for metadata, system for data archiving).

- An integrated computer network that will provide the right information to the right users (data integration across agencies, e.g., displaying the necessary information to the decision-maker at subsequent interactions and associating information captured during a subsequent interaction to the individual's established unique identity).

- A system for recording and associating entry, exit and status events (e.g., enhanced processing and relational database development and management which would enhance search algorithms to improve the ability to match information to an individual).

Developing the Alternatives Using Screening Criteria

There are essentially three alternative approaches to meeting the purpose and need of improving the immigration and border management processes:

- A facilities construction approach (i.e., constructing new facilities, improving and/or expanding existing facilities).

- A process approach (i.e., changing business processes).

- An information technology approach (i.e., relying on information technology).

From these three approaches, numerous alternatives can be developed that rely, to varying degrees, on each approach. A multidisciplinary team within US-VISIT established criteria against which to frame and screen each of the alternatives. For this process, US-VISIT focused on the following criteria:

- The life-cycle costs are reasonable.

- The alternative respects the individual's privacy and provides for secure information and databases.

- The alternative represents good government by being fiscally responsible and uses proper management and available resources.

- The alternative accommodates technology advances.

- The alternative meets congressional mandates.

- The alternative reduces fraud.

- The alternative is feasible and realistic.

- The alternative facilitates legitimate trade and travel.

Alternatives & Proposed Action

Based on the purpose and need and these criteria, four alternatives were developed and are considered in regard to possible environmental consequences in Section 6-Predicting the Effects. The four alternatives are summarized below showing the types of activities associated with each alternative:

- *Hybrid Alternative*: This alternative represents the proposed action. The term hybrid captures a blend of technology and physical resource solutions that would be used to meet the purpose and need. The Hybrid Alternative is a combination of installing information technology with remote scanners, readers, biometrics and some physical construction. The proposed action would be primarily driven by changes in immigration processes, such as establishing procedures to assign a unique identity to individuals and to standardize data collection. This alternative would also involve new applications of existing technologies, such as fingerprinting, and the use of new technologies, such as radio-frequency identification (RFID). It would include the construction or expansion of facilities, such as centralized facilities for data analysis and some exit-related infrastructure. This alternative could also include the addition of special lanes at land border crossings. Against the Hybrid Alternative, three other alternative approaches were considered in this PEA.

- *No-Action Alternative*: This alternative calls for current processes for assessing individuals, and planned improvements and/or increases to facilities, infrastructure, technology and staff to continue at the current rate without significant change. Entry and exit processes would continue as they are today with limited infrastructure in place for exit processing. Existing challenges and gaps in information management processes would remain.

- *Physical Border Alternative*: This alternative would require interaction with a government official at every encounter. This alternative calls for expansion of existing ports of entry to meet demand for increased data collection. This alternative would introduce exit processes that mirror current entry processes as well as the associated physical infrastructure. This alternative calls for constructing or reconstructing immigration and border management facilities, expanding lanes and roads at entry and exit points, and adding additional processes and personnel to meet the purpose and need described above. Lack of available land for expansion at some of the busiest land ports of entry presents a significant challenge to the implementation of this alternative.

- *Virtual Border Alternative*: This alternative seeks to move processes abroad and use information technology and automated processes such as remote readers and smart chips to increase data acquisition and analysis, and to improve status determination on individuals. This is a technology focused alternative which would rely on decentralized acquisition of data (mostly abroad) and integrated databases. Under this alternative, most immigration and border management processes currently taking place at land border ports of entry would be moved and combined with processes that occur at other facilities overseas and in the United States, resulting in a dispersion of processes away from the land border.

Alternatives & Proposed Action

San Ysidro, California

Crane Lake, Minnesota

Land border ports of entry vary in size and scope.

Alternatives & Proposed Action

5-ESTABLISHING THE BASELINE: THE AFFECTED ENVIRONMENT

Activities along the border take place along a wide land border and almost 100,000 miles of shoreline and navigable waters. These lengthy borders and shorelines include a wide array of eco-logical settings in which the immigration and border management community operates.

Within the United States, the U.S. Fish and Wildlife Service (USFWS) has identified boundaries for 53 ecosystem units by grouping watersheds defined by the U.S. Geological Survey. These ecosystems were further broken down into ecoregions based on the U.S. Environmental Protection Agency (USEPA) Level III Ecoregions of the Conterminous United States (USEPA, 2003). These ecoregions have relative homogeneity in their sys-tems and components. There are varying factors associated with spatial differences in the quality and quantity of some of the eco-system components, including soils, vegetation, climate, geology, and physiography. These natural boundaries have proven to be an effective aid for inventorying and assessing national and regional environmental resources, for setting regional resource manage-ment goals, and for developing biological criteria and water qual-ity standards (Omernik and Bailey, 1997).

In 2003, the US-VISIT Program completed environmental base-line studies of the land border ports of entry. These baseline studies provide a description of ecosystem components such as the natural, physical, socioeconomic, and cultural assets of the ports (US-VISIT, 2003EBSa-h). They also identified the sensi-tive components that require evaluation and consideration when taking actions that may affect these resources. The locations of these land border ports of entry are part of 15 different ecore-gions which range from the Chihuahuan Deserts of Texas to the Northeastern Highlands of Vermont. The land border ports are in extremely rural areas such as Sweetgrass, Montana, and very densely populated, urban areas such as San Diego, California. Within these 15 ecoregions are rare, threatened and endangered species (RTE), non-attainment air quality areas, sensitive cultural,

Port Characteristics

Facility Age
One port constructed Prior to 1900
31 ports constructed between 1900 and 1940
81 ports constructed between 1940 and 1970
45 ports constructed between 1970 and present

Vehicle Lanes
94 ports have 0-2 lanes
43 ports have 3-4 lanes
15 ports have 5-8 lanes
13 ports have 9 or more lanes

Space
Ports range in size from 130 SF to 233,092 SF
Minimum low-volume port requires 3,404 SF
62 ports are inadequate with less than 3,000 SF

historic and American Indian resources and economies dependent on cross border trade. Including the land border ports discussed above, there are nearly 1,000 facilities involved in the immigra-tion and border management process including:
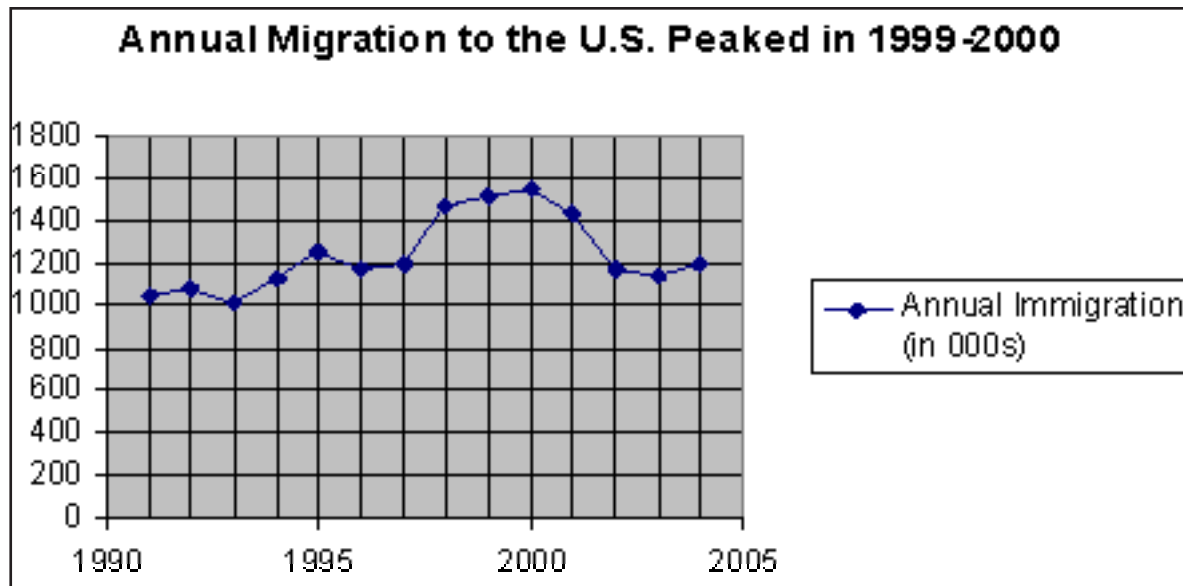
- Diplomatic and Consular Posts throughout the world

- Airports

- Seaports

- Pre-clearance stations in Canada and the Caribbean

Establishing the Baseline

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- Customs and Border Protection (CBP) Regional Offices

- CBP Field Operations Offices

- Border Patrol Stations

- Detention and Removal Service Processing Centers (SPCs)

- USCIS District and Sub-Offices

- USCIS Service Centers

- USCIS Application Support Centers (ASCs) (Smart Border Alliance 2005, page 9).

Critical to the affected environment is the demand placed on these facilities by humans. Post September 11, 2001, legal immigration has declined in the United States. As land border ports of entry have become more secure, legal immigration has decreased (Figure 4 – Migration Trend). From 1992-2004, the share of unauthorized immigration increased and the share of legal immigration decreased. By the end of the period more unauthorized migrants than authorized migrants were entering the United States (Passel and Suro, 2005).

This trend could be expected to continue as border controls at ports of entry become more effective. Perceptions of processing delays at the border could result in a decrease in legal migration for certain types of travel such as leisure travel. Likewise it is probable fewer people will try to slip through the ports of entry with false papers and claims of citizenship as it is widely perceived that the border security has been tightened. The number of apprehensions resulting from false claims of citizenship at the borders has dropped precipitously since September 11, 2001 (from a high of almost 32,000 in 2000 to 12,404 in 2004) and the interception of fraudulent documents dropped from 123,537 to 79,273 during that same period (Koslowski 2005). Population trends in Mexico and Canada show a slowing of natural increases in population (U.S. Department of Commerce, 2006) while forces of globalization and effects of trade agreements such as the North American Free Trade Agreement (NAFTA) and the Central America Free Trade Agreement

Source: Passel, Jeffrey S., and Roberto Suro, "Rise, Peak, and Decline: Trends in U.S. Immigration 1992-2004, Pew Hispanic Center, September 27, 2005.

Figure 4 - Migration Trend

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(CAFTA) would predict greater mobility of goods (and possibly people) across borders. Changes in requirements for U.S. citizens traveling in this hemisphere may put increased pressure on the system. Leaving aside other variables such as wage differentials, it is unclear whether legal immigration will actually increase during the planning horizon being considered in the PEA. However, in order to provide a conservative analysis, it is assumed that there may be modest increase in border crossings at U.S. ports of entry over the next 10 years.

Establishing the Baseline

Figure 5: Map-ASCs Nationwide

Figure 6: Map- The United States Land Ports Of Entry

Figure 7: Map- US-VISIT Program Seaports And Airports
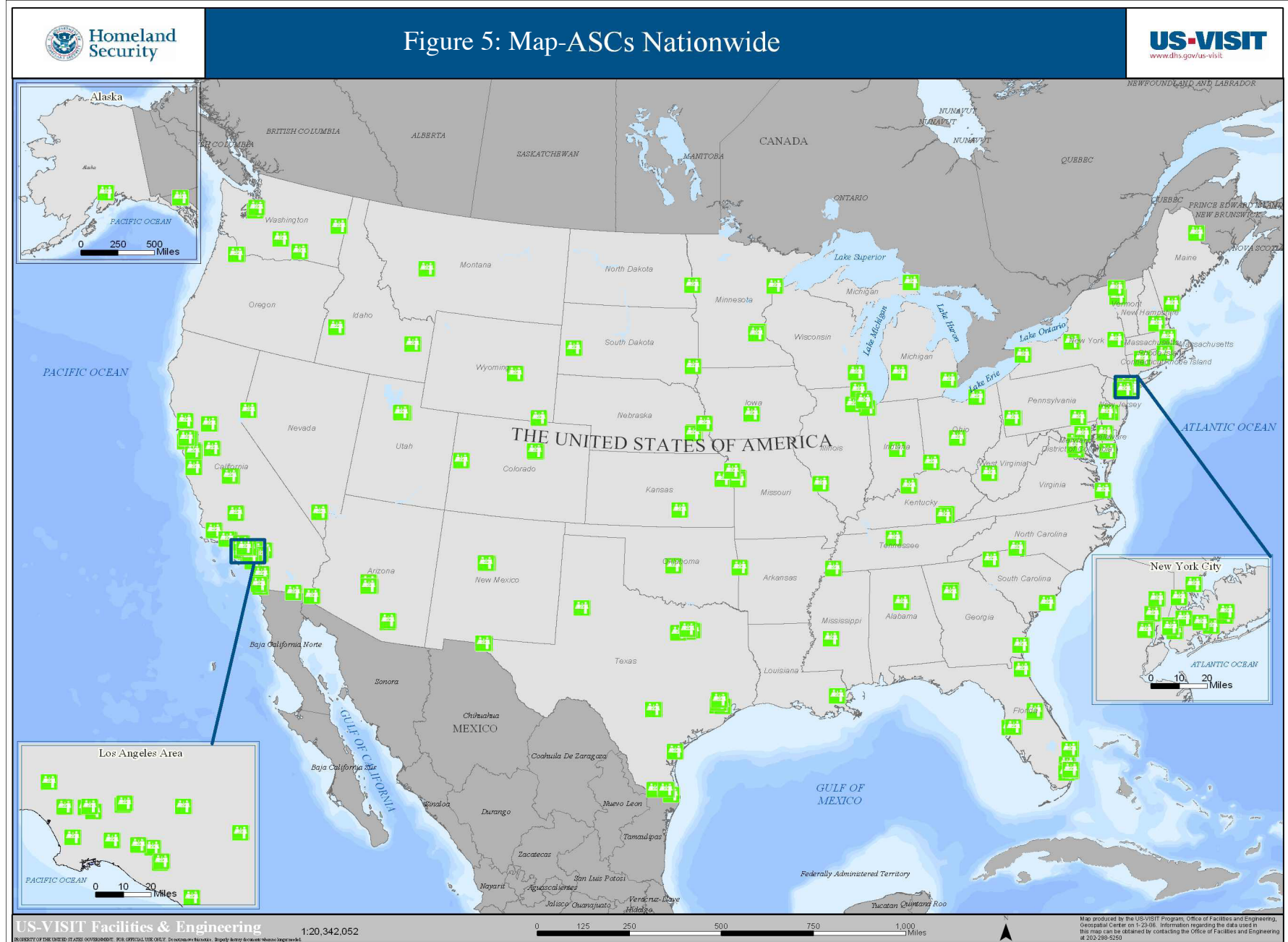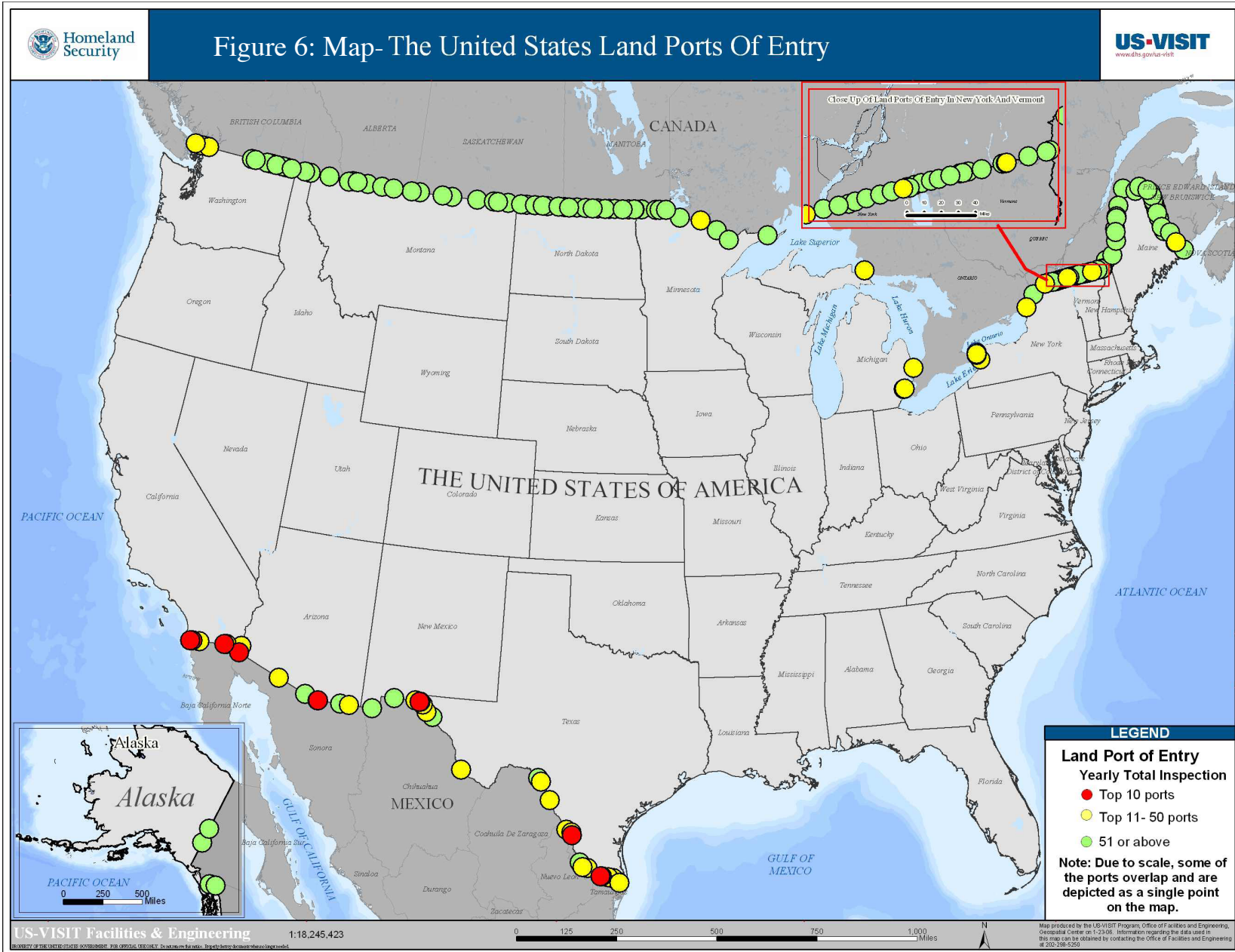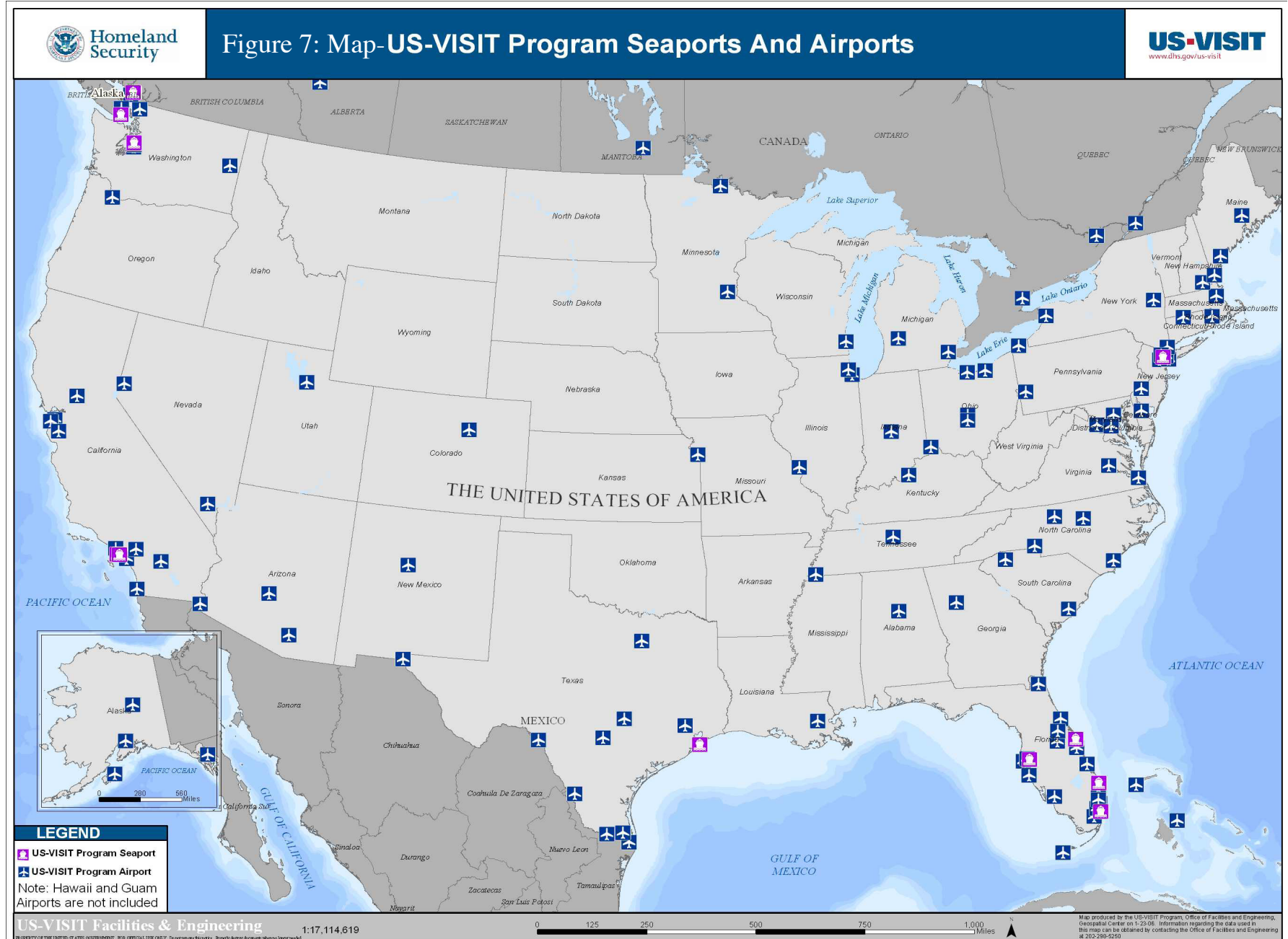
6-PREDICTING THE EFFECTS

There are several characteristics of the alternatives under consideration that "drive" the effects on the environment. These characteristics are summarized in Table 2-Rank Order of Alternatives by Characteristic which shows the rank order of the intensity of the activity across alternatives (4=higher activity or wait time, and 1=less activity or wait time). The characteristics are listed approximately in their order of importance. Characteristics are not equally weighted; vehicle wait times and facility construction tend to dominate the analyses and are responsible for most of the impacts discussed below.

Previous US-VISIT environmental analyses focused on process changes at airports and seaports have demonstrated that changes at these locations are not likely to result in environmental impacts since changes occurred inside existing facilities with little to no impacts resulting on the natural environment (US-VISIT Program 2003nepa-b, 2003-nepa-d). Similar findings can be expected for this proposed action since vehicle wait times and construction activities dominate the analysis and impacts. Land border ports of entry are the most sensitive to changes in these characteristics which then result in environmental impacts (and thus are the focus of much of the discussion). The impacts of these activity characteristics will be discussed in regard to each alternative in the sections below.

The discussion for each alternative includes information on what may be envisioned for each process: pre-entry (before arrival to the United States), entry (upon arrival to the United States), exit (upon departure from the United States), status management (during an individual stay in the United States), and data analysis. Since both status management and data analysis would involve essentially the same efforts, those two processes are captured together as "infor-

mation management." Human health effects are not considered in this PEA as decisions on various technology implementation projects would take into account those technologies' compliance with appropriate human health exposure standards. At this stage of programmatic analysis, technology specifications are unknown.

POTENTIAL ENVIRONMENTAL IMPACTS FOR VIRTUAL BORDER ALTERNATIVE

The Virtual Border Alternative, also identified as the "technology-heavy" or "pre-entry" approach, seeks to assess individuals for admissibility and eligibility by collecting data through technological means prior to entry into the United States. The alternative would involve:

- Collecting data at dispersed locations, such as over the internet, and relying on the Department of State for screening individuals at consular offices prior to travel to the United States.

- Developing centralized databases of information for admissibility and eligibility decisions.

- Emphasizing technology rather than personnel.

Under this alternative, most immigration and border management processes currently taking place at land border ports of entry would be moved and combined with processes that occur at other facilities overseas and in the United States, resulting in a dispersion of processes away from the land border. A virtual border scenario would have substantial pre-entry processing (e.g., fingerprinting, pictures, paperwork, some eligibility and admissibility decision making) take place prior to an individual reaching a port of entry. During entry and exit, information would be captured by technology-focused processes such as unmanned document readers, and use of cards requiring minimal action on the individual's part. Many arrivals would be automated and, when government

Table 2 - Rank Order of Alternatives by Characteristics

Characteristic	Virtual	Hybrid	No-Action	Physical
Wait Times at Ports of Entry[1]	1	2	3	4
Facility Construction[2] (infrastructure expansion, installation of equipment, etc.)	2	3	1	4
Exit Management[3]	4	3	1	2
Info. Tech. Installation (equipment readers, scanners, auto-agents, etc.)	4	3	1	2
New Processes[4] (automation, database mgmt., biometrics)	4	3	1	2
Dispersion of Processes[5]	4	3	1	2

Note: Characteristics such as processes are ranked from least (1) to greatest (4) amount of activity, not impact.

1. Wait time is considered higher for the Physical Border Alternative (in the short-term) because it is assumed that construction traffic and associated disruption would have an adverse impact on the operations during construction and, that some ports of entry in urban areas would be unable to expand fully.

2. Traditional construction under the No-Action Alternative would include currently planned construction, remodeling and expansion projects.

3. In the past, the United States has not maintained data on individual exits from the country or information on the individual exiting the country, although pilot projects have been put into place. Exit management techniques could range from constructing exit stations (Physical Border Alternative) to using remote systems (e.g. some type of remote readers/scanners in a Virtual Border Alternative) to a combination of those approaches (Hybrid Alternative).

4. New processes would be included under the Virtual and Hybrid Alternatives based on introduction of new equipment and new process related to more advanced information management at the borders and at Consular Offices outside the United States as well as foreign ports of entry. Some new processes would be included in the Physical Border Alternative because it is assumed new structures would include newer technology and processes related to meeting DHS directives and congressional mandates.

5. Currently the majority of activities associated with immigration into the United States occurs at ports of entry. Some processes could be dispersed or spread out to other offices (e.g. Consular Offices in other countries), commercial facilities (e.g. major suppliers) and other countries (e.g. Canadian ports of entry would identify exits from the United States). This dispersion would occur primarily at locations where another type of immigration and border management process is currently being performed.

Predicting the Effects

officials were involved, the government officials would have more available data and therefore be likely to ask fewer questions. Information management would include maintaining integrated databases for tracking status and for analyzing and providing interoperability across platforms and agencies.

Anticipated vehicular wait times under this alternative would be the shortest of all of the alternatives because it is assumed that automated remote readers would increase processing speeds in the long-term. Vehicle wait times on entry would be expected to improve compared to the No-Action Alternative. Much of this processing would move away from the border. This alternative has the second lowest construction activity; only the No-Action Alternative would have less construction activity.

Air Quality- Virtual Border Alternative

Impacts to air quality from the virtual border alternative are expected to be low. This alternative assumes that technology would be used extensively to automate entry and exit processes and, in the long-term, result in the lowest inspection times of all alternatives. However, in spite of the automated approach to implementing new processes at each port of entry, introducing the new exit process has the potential to moderately impact air quality at the local and regional level to the extent that cars and trucks are slowed due to traffic while waiting to exit the border.

Slowing of traffic is not expected to result from this alternative but minor changes to traffic patterns on exit are possible in some locations. Therefore, if an area is currently in non-attainment or maintenance from a past National Ambient Air Quality Standards (NAAQS) exceedance, a site-specific analysis would provide information to assist in developing mitigation measures.

Biological Resources - Virtual Border Alternative

Biological impacts are anticipated to be minimal and site-specific

from construction associated with the Virtual Border Alternative. This alternative could have potential impacts to ecological communities and RTE species because of the construction and infrastructure necessary to accommodate procedural requirements; however, this construction would occur primarily overseas at consular locations. Construction for information management and exit processes could include the trenching for and installation of

RESOURCE	IMPACTS
Air	1
Biological	1
Energy	2
Cultural and American Indian	1
Land Use	1
Noise	2
Socioeconomics/Environmental Justice	1
Waste	1
Water	1

Table 3-Resource Impacts of Virtual Border Alternative

data lines and equipment with associated potential site-specific resource impacts. However, the extent of construction under the Virtual Border Alternative would be considerably less than under the Physical Border and Hybrid Alternatives.

The other processes under this alternative would have minimal impacts to biological resources as a result of operational changes and associated impacts to pedestrian traffic, vehicle traffic or water usage. New exit processes and the possible increase in vehicle wait times, could have a modest impact on RTE species that are sensitive to changes in air quality or noise levels. This

alternative is expected to have the shortest wait time, however, of all the alternatives because of the reliance on technologies such as RFID. Many of the processes would also be moved abroad. To the extent that procedural changes could affect the pattern of illegal migration, previously undisturbed areas or biological resources could be affected (which would be the case for both the Physical and the Hybrid Alternatives as well).

Cultural and American Indian Resources - Virtual Border Alternative
Cultural and American Indian resource impacts of the Virtual Border Alternative are expected to be low. This is due to the minimal level of construction required and the low requirements for new land. As indicated in the previous discussions of these resources, a number of sites appear sensitive to cultural and American Indian resources. Therefore, appropriate site-specific assessments and consultation would be conducted when site-specific activities are planned. To the extent that this alternative provides enhanced screening at ports of entry (over the No-Action Alternative), changing patterns of illegal immigration could occur. Those changing patterns could indirectly result in greater problems with illegal migrants crossing American Indian lands (Garcia, 2006), National Parks/Monument land and other sensitive resource areas where cultural resources could be adversely affected. This problem would likely occur for all alternatives.

Energy Resources - Virtual Border Alternative
Under this alternative, the additional energy required to construct and operate new facilities or infrastructure would be minimal. The development of the energy infrastructure may require specialized energy or equipment (for example, hospital-grade power or generators). The energy required to operate the data infrastructure and new equipment under this alternative would be minimal when dispersed across the continent. Reduced vehicle wait time on

entry could lead to decreased use of gasoline and diesel fuel by vehicles. Overall, the collective impact of these activities under this alternative is anticipated to have a moderate impact on regional energy resources.

Land Use - Virtual Border Alternative
For the purpose of this analysis, land use impacts considered are those associated with nearby protected areas such as wetlands, parks, or prime farmlands. Land use impacts associated with the Virtual Border Alternative are anticipated to be low. There may be construction associated with the new exit processes (facilities, IT data lines, other infrastructure); however, the processes would rely on technology rather than traditional facilities in place to process individuals. Construction impacts that occur on undisturbed land, such as the installation of electric and data lines, have the potential to more readily impact resources of concern; while construction happening on disturbed land would have less of an effect. At the national level, it is not anticipated that there would be significant effects to land use resources; however, to the extent that construction takes place, site-specific impacts should be examined and mitigated. Mitigation measures are dependent on the resource of concern and the type of action taken.

Noise Resources - Virtual Border Alternative
Improvements and expansions to facilities and infrastructure would involve some construction with an associated effect on overall noise levels. These impacts would be short-term in duration and occur to a lesser extent than the No-Action or Physical Border Alternatives. Construction noise that may impact sensitive receptors or structures at site-specific locations could require mitigation.

It is assumed that under this alternative, wait times would be the shortest of all the alternatives. However, the reduction in wait times at some land border ports of entry could result in faster-

Virtual

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Virtual

moving vehicle traffic in areas leading up to the inspection booth on entry, which could produce some road noise. Fast-moving traffic, especially if involving larger vehicles and sport utility vehicles (SUVs) with aggressive tire treads (lugged), could have an associated noise impact if sensitive noise receptors are present. Overall, the Virtual Border Alternative is assessed to have a moderate effect on noise levels and impacts to sensitive receptors. Site-specific analyses may identify potential impacts that require mitigation.

Socioeconomics/Environmental Justice - Virtual Border
Socioeconomic impacts of the Virtual Border Alternative are expected to be low. Specifically, entry/exit processes would rely on automated processes, remote readers/scanners, cameras and other highly technical equipment/processes in foreign countries and at ports of entry to speed up processing time. Such a deviation from the current system would require significant organizational change. Problems with biometrics caused by reliability problems and database mismatches could cause increases in wait times for some individuals in the early stages of technology implementation. Changes in processes, techniques and equipment could create modest problems due to "trained incapacity" on the part of staff. Trained incapacity according to Merton (1957) occurs when "Actions based upon training and skills which have been successfully applied in the past may result in inappropriate responses under changed conditions. An inadequate flexibility in the application of skills will, in a changing milieu, result in more or less serious maladjustments". Such problems could be expected to occur when "normal accidents" (e.g. unpredictable set of events producing technological failure/computer glitches) occur in the technological systems (Perrow, 1999). These disruptions to the system could be particularly problematic for shipments of perishables and other time-sensitive goods. It is expected however that these types of problems would be short-term and could

be mitigated through appropriate and extensive training of staff prior to implementation. In the long-term, wait times associated with this alternative would be the shortest of all alternatives. The effects of this alternative are spread geographically much wider than the other alternatives because processes will be diffused throughout various place such as Consular Offices, foreign government offices and ASCs. This diffusion of the process would translate into fewer bottlenecks at the ports of entry and therefore less impact on movement of tourists, labor and goods.

To the extent that air quality or noise issues arise, workers at the borders and those populations living near the borders may be disproportionately affected; however, there is no reason to expect that such groups would be experiencing significantly high or adverse impacts. Additionally, disruption and/or alteration of illegal immigration patterns and associated problems would likely occur under this alternative because of increased processing of travel documents and individuals. Site-specific analyses may identify particular socioeconomic or environmental justice issues in need of mitigation at some sites.

Waste - Virtual Border Alternative
Solid waste impacts of the Virtual Border Alternative would be minimal. The construction or expansion of facilities and the installation of new data infrastructure and technology systems would result in short-term increases in solid and electronic waste from demolition and disposal. Site-specific analysis may be necessary to check for hazardous materials onsite, since construction may impact these materials if present. Potential impacts would be mitigated by following procedures for proper waste disposal and by complying with EO 13101, Greening the Government through Waste Prevention, Recycling and Acquisition, and other applicable guidance and regulations.

Effects of Border Delays on Trade and Commerce:

Alternatives that create the lowest environmental affects also serve to lubricate trading and commerce. The reason is that many of the environmental impacts identified in this assessment are produced by increased wait-times at the border. The Virtual Border Alternative and the Hybrid Alternative would be best from a trade perspective in that shorter wait times means faster shipment of goods and movement of labor.

According to the Council on Foreign Relations, "U.S. border traffic supports the world's largest trade relationship, worth $630 billion annually. Canada is America's largest trade partner; Mexico is in second place. Commercial traffic across U.S. borders averages $1.6 billion in merchandise trade per day...experts say it's too early to come up with a realistic estimate of the losses. Many of America's largest companies operate factories across U.S. borders or buy supplies from Canada and Mexico, so delays in shipments hurt their bottom line. For instance, Ford, GM, and Chrysler rely on cross-border supplies for auto parts, and all have suffered direct losses from the recent border clampdown. The retail sector has also been hurt. Particularly along the Mexican border, huge populations of workers cross daily into the United States to work and shop. Retail sales all along the southern border were down 30 percent from September 2001 to early 2002, due in part to Mexican consumers' reluctance to wait in long lines at the border to go shopping."

Source: Council on Foreign Relations website (http://cfrterrorism.org/security/borders2.html)

Water Resources - Virtual Border Alternative

At the national level, impacts to water resources for the virtual border alternative are considered to be low due to the reliance on technology to accommodate new entry and exit processes. At the site-specific level, construction to implement technology and associated infrastructure has the potential to impact water resources. A primary concern related to construction of facilities is the increase in impervious surfaces which has been associated with several impacts to water resources in terms of both water quality and hydrologic function (Schueler and Holland, 2000); however, only the No- Action Alternative has less construction than the Virtual Border Alternative. At the site-specific level, efforts should be taken to identify surface water resources and the parameters of concern (water quality parameters, endangered species, and/or water quantity). Careful analysis of impacts is recommended at sites located in watersheds of impaired water bodies, floodplains, watershed of designated wild and scenic rivers, habitat of endangered species, and in areas where ground water pumping is of concern.

POTENTIAL IMPACTS FOR - HYBRID ALTERNATIVE (PROPOSED ACTION)

The Hybrid Alternative seeks to assess individuals for admissibility and eligibility through a planning process that results in four business outcomes. The outcomes would be a system for capturing unique identity (e.g., fingerprint scan, retina scan), a system of data quality and standardization (e.g., developing data standards, requirements for metadata, system for data archiving), an integrated computer network that would get the right information to the right users (e.g., data integration across agencies), and a system for recording and associating entry, exit and status events (e.g., enhanced relational database development and management). This alternative is a hybrid approach, capturing a blend of technological and physical resource solutions. The Hybrid Alternative proposes using both information technology (such as remote scanners, readers, and biometrics), and physical construction. This approach would result in some movement of processes away from ports of entry to other existing immigration and border management facilities where other types of immigration and border management processing are already taking place.

Hybrid

Hybrid

The hybrid approach would be primarily driven by changes in processes, such as establishing procedures to assign a unique identity to individuals and to standardize data collection. This alternative would also involve installing and using new applications of existing technologies, such as fingerprinting and use of radio-frequency technology. It may include the construction or expansion of facilities, such as centralized facilities for data analysis and exit facilities. This alternative could also include addition of special lanes at land border crossings (e.g., for frequent travelers) and other changes at land border crossings. This alternative would yield vehicle wait times that are slightly longer than those that would result from the Virtual Border Alternative because the Hybrid Alternative relies more heavily on government officials and new processes at the land border ports of entry than the Virtual Border Alternative. However, vehicle wait times and traffic flow may eventually improve at ports of entry as a result of more effective entry processing. In the long term, the Hybrid Alternative could produce shorter wait times than currently experienced at ports of entry. The Hybrid Alternative has the sec-

ond highest activity level with respect to construction (less than Physical Border Alternative).

Air Quality- Hybrid Border Alternative
Impacts to air quality from the Hybrid Alternative are expected to be moderate to low. Areas of concern include construction and the potential for increased wait times associated with the new processes at the borders. In the short term, construction may increase fugitive dust from ground disturbance and other air pollution emissions from the diesel-powered construction vehicles. In spite of the combined approach (physical resources and technology) to implement new processes at each port of entry, introducing the new exit process has the potential to moderately impact air quality in some local and regional areas to the extent that vehicles are slowed at the border.

If an area is currently in non-attainment or maintenance from a past NAAQS exceedance, there should be a site-specific analysis and mitigation measures should be designed and implemented.

Biological Resources - Hybrid Alternative
Biological impacts are anticipated to be moderate and site-specific with construction associated with the Hybrid Alternative. To the extent that construction interrupts the functions of ecological communities surrounding existing facilities, some modest impacts would occur to biological resources. However, most of the processes associated with this alternative would not have extensive construction or construction-related impacts.

Construction and vehicle traffic could impact RTE species that are sensitive to changes in air quality or noise levels. To the extent that procedural changes could affect the pattern of illegal migration, previously undisturbed areas or biological resources could be affected.

RESOURCE	IMPACTS
Air	1.5
Biological	2
Energy	2
Cultural and American Indian	1
Land Use	1
Noise	1
Socioeconomics/Environmental Justice	1.5
Waste	1
Water	2

Table 4-Resource Impacts of Hybrid Border Alternative

Adding facilities and increasing staff at borders may result in increased water usage over current conditions. The increase in water usage could potentially change the hydrological resources available to ecological communities at a site-specific level in arid regions. The magnitude of this impact would be the highest under the Physical Border Alternative rather than the Hybrid Alternative. Additionally, to the extent that new processes at ports of entry shift patterns of illegal immigration to previously undisturbed areas, biological resources could be impacted.

Cultural and American Indian Resources - Hybrid Alternative
Cultural and American Indian resource impacts of the Hybrid Alternative are expected to low. Like the Virtual Border Alternative, minimal construction yields minimal cultural resource impacts. Similarly, site-specific analyses and consultation may be necessary at some sites. US-VISIT is in the process of updating archival data by conducting cultural resources surveys at the land border ports of entry.

To the extent that this alternative provides enhanced screening at ports of entry (over the No-Action Alternative), changing patterns of illegal immigration could occur. Those changing patterns could indirectly result in greater problems with illegal migrants crossing American Indian lands (Garcia, 2006), National Parks/Monument land and other sensitive resource areas where cultural resources could be adversely affected. This problem would likely occur for all alternatives.

Energy Resources - Hybrid Alternative
Under this alternative, the additional energy required to construct new facilities or infrastructure and operate new facilities or infrastructure would be minimal. The development of the energy infrastructure may require specialized energy or equipment (for example, hospital-grade power or generators). Overall, the collec-

tive impact of these activities under this alternative is anticipated to have a moderate impact on energy resources.

Land Use - Hybrid Alternative
Issues related to land use are defined in the Virtual Alternative section. Land use impacts associated with the Hybrid Alternative are anticipated to be low (less than that of the Physical Border Alternative) due to modest level of construction to accommodate new processes (facilities, information technology data lines, other infrastructure) and the potential disturbance from activities such as pedestrian and vehicular traffic. The majority of potential construction is associated with the introduction of the exit process. Construction impacts that are more dispersed, such as those from installation of electric and data lines, have the potential to more readily impact resources of concern; while localized construction at the port of entry may have less of an effect. At the national level, it is not anticipated that there would be significant effects to land use resources; however, site-specific impacts should be examined and mitigated. Mitigation measures are dependent on the resource of concern and the type of action taken.

Noise Resources - Hybrid Alternative
Improvements and expansions to facilities and infrastructure are likely to involve some construction with an associated minimal effect on overall noise levels. These impacts would be short-term in duration. Construction noise that may impact sensitive receptors or structures at site-specific locations could require mitigation.

Under this alternative, traffic and associated noise would be minimal or improve over time because of the integration of technology and new processes. For instance, wait times and traffic flow may eventually improve at ports of entry as a result of more effective entry processing. However, the introduction of exit processing at the border could result in an initial increase on wait times and

Hybrid

vehicle traffic with potential associated site-specific impacts to sensitive noise receptors. Site-specific analyses may identify potential impacts that require mitigation.

Socioeconomics/Environmental Justice - Hybrid Alternative
Socioeconomic impacts of the Hybrid Alternative are expected to be low to moderate. Specifically, organizational adjustment problems such as trained incapacity and response to unpredictable computer/technological glitches or failures could cause increases in wait times in the short-term. Misreads on biometrics caused by reliability problems and database mismatches could cause increases in wait times for some travelers as the kinks are worked out of the system. (See the discussion under Virtual Border Alternative.) Initially, a slightly higher wait-time ranking could translate into moderate impacts to commerce, labor and tourism; however, over the long-term under this alternative, vehicle wait times would be better than currently experienced today.

To the extent that air quality or noise issues arise, workers at the borders and those populations living near the borders may be disproportionately affected; however, there is no reason to expect that such groups would be experiencing significantly high or adverse impacts. Additionally, disruption and/or alteration of illegal immigration patterns and associated problems are more likely to continue under all alternatives because of increased processing of travel documents and individuals. Site-specific analyses may identify particular socioeconomic or environmental justice issues in need of mitigation at some sites.

Waste - Hybrid Alternative
Solid waste impacts of the Hybrid Alternative would be minimal. The construction or expansion of facilities and the installation of infrastructure and technology systems would result in short-term increases in solid and electronic waste from demolition and disposal. Site-specific analysis may be necessary to check for hazardous materials onsite, since construction may impact these materials if present. Minimal long-term increases to solid waste would result from the activities of additional employees at expanded facilities. Potential impacts would be mitigated by following procedures for proper waste disposal and by complying with EO 13101, Greening the Government through Waste Prevention, Recycling and Acquisition, and other applicable guidance and regulations.

Water Resources - Hybrid Alternative
At the national level, impacts to water resources for the Hybrid Alternative are considered to be moderate to the extent that construction of additional facilities takes place to accommodate new entry and exit processes. The Hybrid Alternative would rely on both technology and on-the-ground resources to meet the demands of new processes, therefore the site-specific level of construction should be considered. A primary concern related to general construction of facilities is the increase in impervious surfaces which has been associated with several impacts to water resources in terms of both water quality and hydrologic function (Schueler and Holland, 2000). At the site-specific level, efforts should be taken to identify surface water resources and the parameters of concern (water quality parameters, endangered species, and/or water quantity). Careful analysis of impacts is recommended at sites located in watersheds of impaired water bodies, floodplains, watershed of designated wild and scenic rivers, habitat of endangered species, and in areas where groundwater pumping is of concern.

POTENTIAL ENVIRONMENTAL IMPACTS FOR NO-ACTION ALTERNATIVE
The No-Action Alternative calls for current processes for assessing individuals and planned improvements and/or increases to facilities, infrastructure, technology and staff to continue at the

current rate without significant change. Currently planned levels of construction are described in the GSA Prospectus Report (GSA, 2005gsa-c). The pilot-level efforts for certain process stages would also continue as planned. Pre-entry activities would remain dispersed at various facilities including overseas consular offices and ports of entry. Entry and exit processes would continue as they are today, with limited infrastructure in place for exit processing. Existing challenges and gaps in information management processes would remain.

As discussed in Section 5-Establishing the Baseline, it is assumed that demographic changes and associated traffic (vehicular and pedestrian) would increase modestly over the next 10 years. Current backups experienced at the borders would continue. The wait time for the No-Action Alternative is ranked second to longest because it is likely to increase as the number of individuals and traffic at land border ports of entry escalates in the absence of improvements to processes and technology (like those being pursued in the Virtual and Hybrid Alternatives). This alternative is ranked the lowest in regard to construction activity.

RESOURCE	IMPACTS
Air	2.5
Biological	1
Energy	2
Cultural and American Indian	1
Land Use	1
Noise	2.5
Socioeconomics/Environmental Justice	3
Waste	1
Water	1

Table 5-Resource Impacts of No-Action Alternative

Air Quality - No-Action Alternative
The No-Action Alternative may have moderate to high impacts to air quality in the short-term from construction and in the long-term from the potential increase of the predicted wait times associated with the continued implementation of current processes at the land border ports. This alternative assumes that current planning for moderate expansion of land border ports would take place, contributing to air quality impacts from construction including fugitive dust from ground disturbance, and additional air pollution emissions from the diesel-powered construction vehicles.

Without technology, manpower, and/or facility expansion to decrease individual processing times, the vehicle wait time would be the second longest among the alternatives. In some local and regional areas there is the potential to impact certain air quality standards from vehicle emissions.

Biological Resources - No-Action Alternative
Biological impacts of the No-Action Alternative are expected to be low because there is the least amount of construction associated with this alternative. Construction-related activities could have site-specific impacts that require mitigation at those sites where RTE are present. Increased vehicle wait times could have modest long-term effects on biological resource through reduced air quality and increased runoff (e.g. increased concentration of petroleum products in runoff).

Cultural and American Indian Resources - No-Action Alternative
Cultural and American Indian resource impacts of the No-Action Alternative are expected to be low based on the level of construction activity currently planned. Some port of entry facilities are eligible for historic designation. Further site-specific analyses may identify particular sites or facilities in need of eligibility determination field work. US-VISIT is in the process of updating

No Action

archival data by conducting cultural resources surveys at the land border ports of entry. Changing patterns of illegal immigration could indirectly result in greater problems with illegal migrants crossing American Indian lands (Garcia, 2006), National Parks/ Monument lands and other sensitive resource areas where cultural resources could be adversely affected.

Energy Resources - No-Action Alternative
Current planned improvements and expansions to facilities and infrastructure are likely to produce slight increases in energy use. Long-term increases to wait times, traffic and vehicle idling may have a limited impact on the amount of gasoline used by vehicles. Overall, the collective impact of these activities under this alternative is anticipated to have a moderate impact on regional energy resources.

Land Use - No-Action Alternative
Issues related to land use are defined in the Virtual Alternative section. Impacts to land use associated with the No-Action Alternative are anticipated to be low. There exists the potential for construction over time to accommodate normal maintenance and capital improvements. At the national level, it is not anticipated that there would be significant impacts to land use with this limited scope of construction in the No-Action Alternative. Current levels of illegal immigration due to associated enforcement activities may have site or ecosystem specific impacts on sensitive resources (Seegee and Neeley, 2006).

Noise Resources - No-Action Alternative
Current planned improvements and expansions to facilities and infrastructure are likely to involve some construction with an associated minimal and temporary effect on overall noise levels. Construction noise that may impact sensitive receptors or structures at site-specific locations may require mitigation. The impacts of current immigration and border management activi-

ties have been analyzed and mitigated in previous NEPA analyses (US-VISIT Program, 2003nepa-b, & 2005nepa-b).

Vehicle traffic has the most potential to impact noise levels if sensitive receptors are present. Current activities associated with entry at the ports have moderate levels of associated noise (based on the wait time rank next to longest wait time among the alternatives). This wait time is likely to increase as the number of individuals and traffic at land border ports of entry escalates in the absence of improvements to the process and technology (like those being pursued in the Virtual and Hybrid Alternatives). Increased traffic would have moderate to high site-specific impacts if sensitive noise receptors are present.

Socioeconomics/Environmental Justice - No-Action Alternative
Socioeconomic impacts of the No-Action Alternative are expected to be high over the long-term even as improvements are implemented across the nation-wide system. Socioeconomic impacts are driven largely by wait times at ports of entry resulting in disruption of trade, tourism and migration patterns among other things. Although wait times at ports of entry are the result of many different factors, the longer the immigration process, the greater the impact on commerce and travel; and the more stringent the entry process, the more migrants alter behavior. Socioeconomic impacts associated with increased border security and site-specific changes (e.g. expanding buildings or adding lanes) could include such impacts as disruption to commerce and communities (through delay of or reduction of labor or goods), disruption to communities due to increased congestion at ports of entry, and alteration of travel/traffic patterns. While estimates vary, border delays cost the Mexican, Canadian and U.S. economies billions of dollars. One of the more recent studies estimates current border management is costing just the two economies of Canada and the United States some $5.88 billion per year (Taylor et.al., 2004). These impacts are not distributed equally

either. Trade to the United States accounts for a larger share of the Canadian economy (87% of Canada's trade comes to the US while about 25% of US trade goes to Canada) thus creating more of a problem for Canadian manufacturers. These frictions to trade (and their differential effects) could serve to increase tension and conflict with Canada and Mexico (Andreas, 2005).

To the extent that air quality or noise issues arise due to longer wait times, workers at the borders and those populations living near the borders may be disproportionately affected; however, there is no reason to expect that such groups would be experiencing significantly high or adverse impacts (as related to environmental justice). Additionally, disruption and/or alteration of illegal immigration patterns and associated problems are likely to continue under the current immigration environment.

Waste - No-Action Alternative

The waste impacts of the No-Action Alternative would be minimal based on expectations of current improvements, repairs, construction, and technology updates for all ports of entry. The impacts of certain current immigration and border management activities have been analyzed in previous NEPA analyses (US-VISIT Program, 2003nepa-b and 2005nepa-b).

Water Resources - No Action

At the national level, impacts to water resources for the No-Action Alternative are considered to be low. There exists the potential for construction over time to accommodate normal maintenance and capital improvements. At the site-specific level, construction has the potential to impact water resources depending on the site-specific factors. A primary concern related to general construction of facilities is the increase in impervious surfaces which has been associated with several impacts to water resources in terms of both water quality and hydrologic function (Schueler and Holland, 2000).

POTENTIAL ENVIRONMENTAL IMPACTS FOR PHYSICAL BORDER ALTERNATIVE

The Physical Border Alternative, also identified as the "resource heavy" or "each encounter" approach, seeks to assess individuals for admissibility and eligibility by expanding current data collection and processing at the port. This alternative would require border management personnel to access available databases to collect information, analyze the information and make eligibility and/or admissibility decisions about each individual at every encounter, i.e., each time a person enters, exits or changes status. To manage the volume of individuals and data, the alternative would involve:

- Constructing or reconstructing immigration and border management facilities. For exit points, the facilities would be newly constructed to mirror entry facilities.

- Expanding lanes and roads at entry and exit points, especially at land border ports.

- Adding additional processing steps

- Adding additional training and government officials to conduct the processing.

For pre-entry, some processing currently taking place abroad would be redirected to ports of entry in the United States. Entry processing would take place at the air, sea and land border ports. Thus the total entry processing would be the current operations with additional processes taking place at the border (e.g., checking documents, fingerprints, and making some admissibility decisions). All proposed exit processing would be conducted at duplicate facilities on the exit side of all ports. More staff would be added to conduct exit processing. This alternative assumes that information management processes and technologies would be the same as with the existing operations, i.e., same as the No-Action Alternative.

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Anticipated vehicular wait times under this alternative would rank the longest of all the alternatives because individuals would be required to stop on exit for inspection. It also assumes that physical expansion is not always possible (e.g., at busier ports of entry in more urban settings). Thus while processing demands are anticipated to increase in order to meet mandates, physical expansion may not be possible therefore yielding longer wait times. This alternative ranks highest in the amount of construction activity associated with the actions.

RESOURCE	IMPACTS
Air	3
Biological	3
Energy	2
Cultural and American Indian	2
Land Use	3
Noise	3
Socioeconomics/Environmental Justice	3
Waste	1
Water	2

Table 6-Resource Impacts of Physical Border Alternative

Air Quality - Physical Border Alternative
Impacts to air quality from the physical border alternative are potentially high due to construction associated with the significant expansion of facilities and roads and due to increased wait times to accommodate new processes at borders. Significant amounts of construction may increase fugitive dust from ground disturbance and particulate matter, and other air pollution emissions from the diesel-powered construction vehicles in the short term. The introduction of an exit process that mirrors the current entry process would, over the long-term, introduce significant wait times and may contribute to local and regional air quality issues from vehicle emissions in some areas.

If an area is currently in non-attainment or is in maintenance from a past NAAQS exceedance, there should be a site-specific analysis and mitigation measures should be designed and implemented.

Biological Resources - Physical Border Alternative
Biological impacts are anticipated to be extensive (high) at the site-specific level resulting from construction associated with the Physical Border Alternative. To the extent that construction interrupts the functions of ecological communities surrounding existing facilities, some impacts to biological resources would occur. Most of the processes associated with this alternative would have moderate or extensive construction or construction-related impacts to accommodate the increase in procedural requirements at the ports of entry. Therefore, this alternative would have the most potential to impact ecological communities and RTE species. Specifically, the addition of exit processes would require the construction of facilities to mirror facilities currently required for entry processing. This construction would occur in previously undisturbed areas outside of the current facility footprint and would have potential impacts to biological resources in sensitive areas.

Adding facilities and fully staffing borders may result in increased water usage over current levels. The increase in water usage could potentially change the hydrological resources available to ecological communities at a site-specific level in arid regions. The magnitude of this impact would be the highest under the Physical Border Alternative. Additionally, to the extent that increased document screening under this alternative increases or shifts the volume of illegal pedestrian or vehicle traffic to previously undisturbed areas, biological resources could be impacted.

Physical

Cultural and American Indian Resources - Physical Border Alternative

Cultural and American Indian resource impacts are anticipated to be moderate with increased construction and construction related disruption of the area surrounding existing facilities. Some port of entry facilities may be eligible for historic designation. US-VISIT is in the process of updating archival data by conducting cultural resources surveys at the land border ports of entry. Further approved site-specific analyses may identify particular sites or facilities in need of eligibility determination, field work or mitigation. At this programmatic level, it is unknown the extent to which historic buildings might be removed in order to make room for physical expansions.

To the extent that construction interrupts traditional community life or business patterns, some impacts will be felt by specific populations in the short-term (e.g., American Indians, farm workers, migrant laborers). Operations would also have moderate impacts at exit if exit stations are built and exit processes are changed requiring outbound individuals to stop before exiting the United States and then stop again when entering Canada or Mexico. Traditional migration/travel patterns of some populations may be disrupted as well. To the extent that this alternative provides enhanced screening at ports of entry (over the No-Action Alternative), illegal immigration could be diverted from ports of entry. Changing patterns of illegal immigration could result in greater problems with illegal migrants crossing American Indian lands (Garcia, 2006), National Parks/Monument lands and other sensitive resource areas where cultural resources could be adversely affected. This problem would likely occur for all alternatives.

Energy Resources - Physical Border Alternative

Implementation of this alternative would require the most extensive construction and operation of new facilities and infrastructure. The additional energy required to construct new facilities or infra-structure would be minimal, while the energy required to operate new facilities or infrastructure under this alternative would be moderate compared to regional energy usage. The development of the energy infrastructure may require specialized energy or equipment (for example, hospital-grade power or generators). Increases to wait times would also have a limited impact on the amount of gasoline used by vehicles. Overall, the collective impact of these activities under the Physical Border Alternative is anticipated to have a moderate impact on regional energy resources.

Land Use - Physical Border Alternative

Issues related to land use are defined in the Virtual Alternative section. Land use impacts are anticipated to be high for the Physical Border Alternative due to increased levels of construction and due to the potential disturbance from activities such as pedestrian and vehicular traffic at land border ports. Construction impacts under this alternative would occur on undisturbed land, thus having greater impacts. Site-specific impacts should be examined and mitigated as appropriate for the resources of concern and the actions taken.

Noise Resources - Physical Border Alternative

Improvements and expansions to facilities and infrastructure would involve extensive construction with an associated moderate effect on overall noise levels. These impacts would be short-term in duration. Construction noise that may impact sensitive receptors or structures at site-specific locations could require mitigation. Processing at the land border ports could increase wait times for vehicle traffic causing potential site-specific impacts to sensitive noise receptors. It is assumed that under this alternative, wait times would increase substantially in locations where the infra-structure could not be expanded to accommodate additional processes and/or travelers (particularly on exit). These wait times and associated traffic, in combination with construction-related noise, are assessed to result in a high number of potential noise impacts

Physical

Physical

to sensitive receptors in comparison with the other alternatives. Site-specific analyses may identify potential impacts that require mitigation.

Socioeconomics/Environmental Justice - Physical Border Alternative
Socioeconomic impacts are anticipated to be high with increased construction and construction related delays in the short-term. Impacts from increased wait times are also associated with this alternative in the long-term and would result in adverse impacts on trade and commerce. In addition, it has been suggested by some researchers that processes are more important to speeding up traffic than new facilities (Taylor et.al., 2004, pp.14).

As indicated by Taylor et. al., some high-volume crossings do not have adequate space for expansion of physical facilities thus some problems could remain even after construction, continuing to contribute to socioeconomic (and other) effects (Taylor et.al., 2004). This alternative would result in the most employment which may be a benefit in some specific contexts, and a problem in areas where local public services are stretched. To the extent that construction schedules are coordinated to mitigate impacts to travelers and ample staff are hired and trained for the new facilities, potential effects would be minimized.

Operations would also have potential impacts at exit if exit stations are built and exit processes are changed requiring outbound individuals to stop before exiting the United States and possibly stop again when entering Canada or Mexico. As frequent travelers are subjected to increased processing times, economic impacts could result as the movement of people and goods is slowed.

To the extent that air quality or noise issues arise due to longer wait times, workers at the borders and those populations living near the borders may be disproportionately affected; however,

there is no reason to expect that such groups would be experiencing significantly high or adverse impacts. Additionally, disruption and/or alteration of illegal immigration patterns and associated problems would likely occur under this alternative because of increased processing of travel documents and individuals. Site-specific analyses may identify particular socioeconomic or environmental justice issues in need of mitigation at some sites.

Waste - Physical Border Alternative
Solid waste impacts of the Physical Border Alternative would be minimal. Waste increases would occur initially due to extensive construction and remodeling of facilities and infrastructure. Site-specific analysis may be necessary to check for hazardous materials onsite, since construction may impact these materials if they are present. Minimal long-term increases to solid waste would result from the activities of additional employees at expanded facilities. Potential impacts would be mitigated by following procedures for proper waste disposal and by complying with EO 13101, Greening the Government through Waste Prevention, Recycling and Acquisition, and other applicable guidance and regulations.

Water Resources - Physical Border Alternative
At the national level, impacts to water resources for the physical border alternative are considered to be moderate to the extent that construction of additional roads and facilities takes place to accommodate new entry and exit processes. At the site-specific level, construction has the potential to impact water resources. A primary concern related to construction of facilities is the increase in impervious surfaces which has been associated with several impacts to water resources in terms of both water quality and hydrologic function (Schueler and Holland, 2000). Careful analysis of impacts is recommended at sites located in watersheds of impaired water bodies, floodplains, watershed of designated

wild and scenic rivers, habitat of endangered species, and in areas where ground water pumping is of concern.

TRANSBOUNDARY IMPACTS

All alternatives will require site-specific consideration of transboundary impacts. By their very nature, impacts on the U.S. border have the potential to affect the neighboring nation. The resources most likely to affect neighboring nations are those that are mobile and thus more regional. These include air, water, animal species, and human communities. Decision-makers for site-specific initiatives at land border ports will have to be aware of the specific issue(s) facing that region. For example, decisions affecting the Pacific Northwest will need to address the impacts to tribes that have families on both sides of the land border. Other decisions affecting the land border ports of entry in non-attainment areas will have to address air quality concerns. Under some alternatives, such as the Virtual and Hybrid Alternatives, the transboundary impacts could result in a minor improvement to the resource because these alternatives would be designed and implemented in a way that would reduce wait times at the border. Programmatically, all tiered analyses will comply with Executive Order 12114, Environmental Impacts Abroad of Major Federal Actions, and the Council on Environmental Quality's Guidance on NEPA Analyses for Transboundary Impacts (1997).

CUMULATIVE EFFECTS

NEPA Regulations state: "'Cumulative impact' is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" (40 CFR 1508.7). No part of the implementation of the Hybrid Alternative individually or cumulatively is environmentally significant.

At a programmatic level, changes in the implementation of legislation affecting immigration, energy and trade could all cumulatively affect the environment in interaction with the proposed action. It is likely that as changes associated with new legislation (e.g. Energy Policy Act of 2005) work their way into federal activities, the cumulative effects at the ports of entry will be beneficial to air quality. New legislation tightening border security (across the entire border) could also lead to long term beneficial cumulative effects as patterns of illegal immigration across sensitive areas are reduced and the flow of immigrants using forged or fraudulent documents is reduced through ports of entry (thus reducing congestion and the need for secondary screening). To the extent that trade activity associated with NAFTA and CAFTA increase, these environmental benefits would be offset (but this would be true under all of the alternatives). Other changes which could possibly occur, such as higher fuel prices, could also affect the Proposed Action beneficially by leading to behavior change (e.g., less idling at ports of entry, or fewer discretionary trips).

Planners and decision-makers will need to assess the cumulative effects at different resources at different land ports of entry. Those in urban areas, for example, where air quality is already stressed will play particular attention to projects that include additional emissions. These new actions could come in the form of new policies, practices or projects. Similarly, there could be a cumulative beneficial impact of the reduction of wait times coupled with new initiatives from EPA.

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7-MONITORING THE EFFECTS

If US-VISIT implements the Hybrid Alternative or the Virtual Border Alternative, there will be no significant negative or beneficial environmental impacts. Under the No-Action and Physical Border Alternatives, which have the potential for the most environmental effects, the finding remains that any environmental impacts are not significant. Even if actions are taken in an already stressed environment, the implementation of any of the alternatives would not add enough effects to be cumulatively significant.

However, due to the nature of programmatic impact analysis, there are reasons to monitor the operations of the US-VISIT Program at the land border ports of entry. Impact analysis is predictive and is sensitive to: (1) the complexity or unique nature of a specific environment, (2) the frequency and growth of trade and commerce, (3) changing demographics, and (4) changing operations.

Modifying project proposals is the most effective manner to avoid or minimize adverse environmental impacts. The US-VISIT Program recognizes that environmental impact analysis is predictive by nature, and that the situation on the ground can change over time. For those reasons, this PEA is based on and grounded in the idea that managers can identify sensitive resources, make predictions about the impact, and establish a monitoring system for certain resources. Those monitoring systems could range from simple physical checks to sophisticated computer sensors. Not every aspect of the environment should or would be monitored as part of this program. The decisions to monitor and the decisions regarding what natural or cultural resources to monitor would be the subject of the tiered analyses if US-VISIT decides to implement the proposed action. The Strategic Environmental Appraisal (SEA) and Environmental Baseline Study (EBS) reports will assist in those subsequent analyses. (See Appendix B-Tiering Subsequent Analyses.)

US-VISIT already monitors the immigration and border management system as part of its existing business process. The Program uses predictive modeling, system performance evaluation, and pilot and live testing of individual projects before they are fully implemented. US-VISIT has established a predictive modeling team which develops and applies simulation models to predict and analyze resource and facility requirements across a wide spectrum of functions including traffic simulation, information technology and mission operations processes. This team conducts site visits, records observations, and collects data for analyzing current or proposed changes to the immigration and border management process, the inspection/enforcement methodology, and the impact of changes on the US-VISIT mission and overall border management. Currently, US-VISIT models traffic and process flows. Using existing simulation modeling systems, US-VISIT has been able to analyze multiple scenarios to assess impacts to operations, facilities, staffing, and the environment prior to field implementation. The US-VISIT Program is committed to continuing these processes while integrating environmental monitoring so that environmental stewardship is a part of normal business practices. US-VISIT will coordinate on site-specific modeling efforts as needed to support local and regional efforts to identify traffic issues.

Although specific decisions to monitor natural or cultural resources will be addressed in tiered analyses, at a programmatic level, US-VISIT will develop and maintain a toolbox with strategies and information for monitoring, mitigation and environmental stewardship. The toolbox will serve as a resource for decision-makers throughout DHS and the immigration and border management community for ideas and requirements on avoiding and minimizing environmental impacts. The toolbox will contain references to applicable directives, standards and regulations for specific actions or resource areas. The toolbox will also include best management practices and lessons learned from other programs and initiatives at other agencies.

Monitoring the Effects

This toolbox will include guidance for using environmental metrics, such as those being implemented by DHS. At a minimum the toolbox will contain:

- Results of pilot studies.

- Strategies for implementing adaptive management.

- An environmental policy.

- American Indian Government-to-Government Relations Guidance.

- Mitigation strategies (e.g., for geodetic monuments).

- An Environmental Management System.

- An environmentally-friendly procurement policy.

These tools will highlight mitigation and adaptive management techniques to be used when implementing the proposed action. More information on adaptive management is contained in Section 8-Adapting Projects Based on Monitoring Results. Additionally, US-VISIT will implement the following mitigation strategies on a programmatic level for the noted resources:

- AIR: If an area is currently in non-attainment or maintenance from a past NAAQS exceedance, US-VISIT will coordinate with appropriate state agencies as necessary, to ensure that US-VISIT's traffic modeling data-quality standards (e.g., assumptions, how data is collected, processed and verified) are consistent with the state's requirements.

- CULTURAL AND AMERICAN INDIAN RESOURCES: US-VISIT will require all contractors, as a contract condition, to prepare an Unintentional Discovery Plan. US-VISIT will maintain in its toolbox, information on historic properties, a record of interaction with SHPOs and THPOs, and a template for an Unintentional Discovery Plan.

- ENERGY: US-VISIT will develop a protocol for energy efficiency and will use energy conservation strategies. US-VISIT will adopt goals for the use of renewable energy, such as those already being implemented by DHS. System-wide, the Energy Policy Act will be followed in order to create efficient energy systems and enhance energy efficiency.

- LIFE-CYCLE MANAGEMENT: US-VISIT will develop strategies to foster meeting the requirements of the Greening the Government Executive Orders and to recycle electronic equipment when taken out of service.

- TRANSBOUNDARY IMPACTS: During the process of preparing tiered analyses to determine impacts in the United States, transboundary data will be generated and analyzed in accordance with the Council on Environmental Quality guidance.

- WASTE: Policies or guidance for dealing with specific waste associated with the introduction of new technologies will be examined. US-VISIT will participate in the DHS electronic waste recycling challenge.

Monitoring the Effects

8-ADAPTING PROJECTS BASED ON MONITORING RESULTS

Adaptive Management as a Strategic Goal of Implementing the US-VISIT Program

Adaptive management is a systematic process for continually improving management policies and practices by learning from the outcomes of operational programs. To successfully implement an adaptive management program, monitoring must occur for a long enough period to determine if the predicted operational results and environmental effects were realized. A major benefit of this approach is that it focuses on environmental performance; it helps determine whether mitigation measures are cost effective and helps determine actions to prevent any adverse effects.

The US-VISIT Program recognizes that (1) all the effects related to the implementation of the proposed enhancement cannot be fully understood with complete certainty at the programmatic level; (2) additional analyses must be tiered, i.e., sequential reviews must occur; (3) adaptive measures may need to be taken at each site; and (4) monitoring is an essential element in understanding the additional actions that may need to be taken.

Once a decision-maker decides whether an adaptive management plan is required, the plan's broad outline would:

- Determine which effects should be monitored (i.e., air quality impacts).

- Using the environmental baseline studies, establish the baseline for the resource of concern.

- Establish performance measures (i.e., National Ambient Air Quality Standards).

- Establish the kind of modifications that could be taken to reduce stress on a particular resource (i.e., anti-idling measures to reduce nitrogen oxides in the air).

- Establish thresholds where modification of the operations would be required.

- Make the monitoring report available to the public.

US-VISIT would, in partnership with those implementing projects at land border ports of entry, take the following adaptive management efforts.

- Work with industry to develop faster technologies.

- Support the development of monitoring systems.

- Develop a handbook on adaptive management.

- Integrate adaptive management, monitoring and mitigation strategies through ongoing updates to the toolbox.

Adapting Projects

9-TIERING

The US-VISIT Program is undertaking this programmatic analysis approach to engage the environmental issues at the earliest stage of planning. This is the stage where program managers and others can integrate environmental stewardship into the entire plan. At this stage the planning can focus on environmental performance and on means to adapt the management of a program. It can help with development of policies and strategies long before implementation. Tiered analyses are used to deal with issues specific to the site, new information, how to monitor for environmental effects, and what adaptive management techniques to employ.

CEQ regulations allow and promote the use of programmatic approaches that use tiering to address site-specific issues. Tiering refers to the coverage of general matters in broader programmatic environmental analyses (e.g., strategies, business practices, policies) with subsequent (i.e., tiered) narrower analyses. It allows those subsequent (i.e., site-specific, or watershed, or ecosystem-level) analyses to incorporate by reference, the general discussions found in this Draft PEA and to concentrate solely on the issues of concern at the subsequent level.

Each agency can review this PEA and the SEA and EBS reports, and any new information related to the environmental conditions around the relevant facilities and can decide one of three things: (1) that there are no issues of concern and that the PEA is sufficient; (2) that it is unclear whether the issues may be significant and prepare a tiered EA to address the environmental effects, monitoring and mitigation to determine whether the impacts are significant; or (3) that the environmental effects of implementing this program at a specific location or at a project level are significant and prepare an environmental impact statement (EIS), which incorporates this PEA and includes a more detailed review.

All subsequent or tiered analyses will be made available for public review. Should an EIS be required, a Notice of Intent to prepare an EIS will be published and the public would be invited to participate in scoping the new analysis.

THE ENVIRONMENTAL BASELINE

As discussed previously, the US-VISIT Program evaluated the existing environmental conditions at each land border port along the U.S. borders with Canada and Mexico. The EBS reports identify site-specific environmental constraints within, and in the immediate vicinity of, each port and evaluate potential cumulative impacts within each ecosystem as defined by the USFWS. The SEA reports considered the potential natural, physical, and human environmental consequences of a proposed program in a broad context. The methodologies used for these reports is described in Appendix B-Tiering Subsequent Analyses.

The SEA and EBS reports provide a baseline for environmental conditions and potential consequences of a proposed action at specific land border port of entry. When applicable, tiered analyses will refer to these reports, the analysis contained in this PEA, and other current or relevant information to determine the potential impacts and anticipated consequences of US-VISIT activities on a site-specific or initiative-specific level.

Table 7: Activity Dispersion and Environmental Effects

←		→
← Greater potential effects on environment..........Lesser potential effects on environment		→
← Physical Border..........No-Action.....................Hybrid..........................Virtual Border		→
← Facility and infrastructure solutions...............Data and technology solution		→
← Centralized activities .... Dispersed activities		→
← Direct implementation ....Adaptive management		→

Tiering

10-CONCLUSIONS

US-VISIT has embarked on a national program that will change the policy, strategy and programs associated with individuals entering and exiting the United States. US-VISIT has prepared a Programmatic Environmental Assessment (PEA) to determine whether these proposed changes in immigration and border management practices will have a significant environmental impact.

The proposed action is the Hybrid Alternative. Implementing the Hybrid Alternative would not individually or cumulatively result in a significant effect. From this PEA decision-makers will tier subsequent analyses for specific initiatives, as necessary.

To the extent that data collection and data management are diffused to consular offices, ASCs, other locations and foreign government facilities instead of focused on land border ports of entry, impacts would be avoided or minimized. Thus, unless physical expansion and/or disruption of previously undisturbed areas is necessary, implementation of the proposed actions in locations other than land border ports of entry, would not need further analysis. To the extent that wireless transmission of data is used (over installation of underground cable/fiber optics), impacts would be minimized. To the extent that processes and organizational arrangements are refined to facilitate proposed changes instead of building physical infrastructure, impacts would be minimized. To the extent that system processes and organizational changes are made incrementally, after pilot testing, and incorporate adaptive management principles, impacts would be minimized. In general, geographically diffused systems relying on highly technical solutions, implemented with appropriate processes and training, would likely produce the least environmental effects. In general, processes are more important than particular brands of equipment that perform the same function. Consequently, decisions about

purchasing electronic equipment (when there is no discernable difference among brands and the equipment is constructed, installed, and used in a manner that meets all applicable requirements to protect the environment and human health) for implementation of the proposed action needs no further consideration under NEPA. Discussions about different types of technology may trigger environmental analysis under NEPA.

These findings are based on a qualitative analysis. US-VISIT determined potential environmental impacts by reviewing plans and programs, technical literature, environmental baseline data, previous analyses and applying expert judgment. In some cases, monitoring would be required because of the existing condition of certain environmental resources within the ecosystem in which a port is located. These findings are further based on the suite of mitigation alternatives available to reduce potential impacts to less than significant. These mitigation measures are based on techniques to modify and adapt the processes. A baseline of environmental information is available for each land port of entry. Many of these ports could likely be expanded before any significant environmental effects would occur. In some instances, introduction of new processes and associated infrastructure changes could yield beneficial environmental impacts when compared to the No-Action Alternative. For each initiative requiring additional analysis, the decision-maker will review the individual circumstances by preparing an EA that tiers off this PEA, and incorporates monitoring and adaptive management techniques. If significant effects are found, the decision-maker will prepare an Environmental Impact Statement (EIS) for the actions proposed to be taken.

Conclusions

11-INVOLVING THE PUBLIC

US-VISIT has maintained and continues to maintain an open and transparent communication effort. US-VISIT regularly meets with interested parties throughout the country. Over the past nine months, US-VISIT has consulted with interested persons and agencies at over 30 meetings in 10 different states across the northern and southern borders. During the meetings, US-VISIT addressed many issues and subjects including applicability of certain proposals to certain persons, wait times, privacy, and trade and travel.

At the start of the Draft PEA process, US-VISIT sent an announcement (Appendix A-Public Involvement Materials) to persons on the e-alert stakeholder list. The e-alert stakeholder list currently contains over 3,000 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 e-mail addresses for a number of elected and government officials and the local, state, federal and international levels as well as many state Departments of Transportation.

US-VISIT published a Notice of Availability (NOA) of the Draft PEA and Public Meetings in the Federal Register and published similar information in national newspapers and in certain local newspapers. US-VISIT also distributed the NOA, or the information it contained, to interested parties and to the persons and agencies with whom it had been consulting.

US-VISIT also distributed copies of the Draft PEA to the persons on the distribution list and to various local libraries. (See Section 15-Distribution List.)

The 30-day comment period for the Draft PEA ended on March 18, 2006. US-VISIT held seven open-house meetings during the comment period. These meetings were held in seven different communities throughout the United States. (See Appendix A-Public Involvement Materials for a listing of meeting locations.) US-VISIT encouraged public review of and comments on the Draft PEA and received 32 documents containing comments. Summaries of the comments and responses are included in Appendix C- Comments and Responses, Clarifications and Updates. US-VISIT considered substantive comments received in preparing this Final PEA and in making recommendations to the decision-maker on a course of action.

Interested parties may request a copy of the Final PEA (in hard copy or CD format and in English or Spanish language) and/or make comments (also in English or Spanish) on the Final PEA by one of the methods listed below.

In writing to: US-VISIT Program-Comments, Attn: Environmental Programs Manager, PO Box 587, Arlington, VA 22216-0587. By emailing to: *US-VISIT.environmental@dhs.gov*.

Interested parties were able to download a copy of the Draft PEA from the internet and are able to do the same for the Final PEA at www.us-visitfacility.us.

US-VISIT will also distribute information on the availability of the Final PEA through the e-alert stakeholder list and by placing a notice in the Federal Register.

Involving the Public

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13-ACRONYMS AND ABBREVIATIONS

ASC-Application Support Center

APIS-Advance Passenger Information System

CAFTA -Central American Free Trade Agreement

CBP-Customs and Border Protection

CEQ-Council on Environmental Quality

CIS-Citizenship and Immigration Services

DHS-Department of Homeland Security

DOJ-Department of Justice

DOT-Department of Transportation

EA-Environmental Assessment

EBS-Environmental Baseline Study

EIS-Environmental Impact Statement

EMS-Environmental Management System

EO-Executive Order

FONSI-Finding of No Significant Impact

GSA-General Services Administration

GIS-Geographic Information System

LPOE-Land Port of Entry

NAFTA -North American Free Trade Agreement

NEPA-National Environmental Policy Act

NOA-Notice of Availability

NMFS-National Marine Fisheries Service

PEA-Programmatic Environmental Assessment

POE-Port of Entry

RFID-Radio Frequency Identification

RTE-Rare, threatened and endangered species

SEA-Strategic Environmental Appraisal

USFWS-U.S. Fish and Wildlife Service

US-VISIT-United States Visitor and Immigrant Status Indicator Technology

USCIS-United States Citizenship and Immigration Services (now CIS)

Acronyms & Abbreviations

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US-VISIT PEA

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			Detroit Public Library	
			Laredo Public Library	
			Miami-Dade Public Library	
			San Antonio Public Library	
			San Diego Public Library	
			San Ysidro Public Library	
			Seattle Central Public Library	
			Albuquerque Public Library	
			Z. J. Loussac Public Library - Anchorage	
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APPENDIX A. PUBLIC INVOLVEMENT MATERIALS

Announcement to Interested Parties - Programmatic Environmental Assessment
The United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program of the Department of Homeland Security (DHS) announces its intent to prepare a Programmatic Environmental Assessment (PEA) in accordance with the Provisions of the Council on Environmental Quality Regulations implementing the procedural Provisions of the National Environmental Policy Act (NEPA). The PEA will assess the potential environmental impacts of the proposed vision and operational changes to provide for better decision-making. The PEA will address eligibility, admissibility, and assessment of risk for individuals during pre-entry, entry, status management, and exit. US-VISIT is committed to enhancing the security of our citizens and visitors, facilitating legitimate travel and trade, ensuring the integrity of the immigration system, and protecting privacy.

US-VISIT is issuing this announcement to provide advance notice to interested parties about the PEA. The PEA will (1) define the underlying purpose and need to which US-VISIT is responding; (2) describe the proposed action or actions; (3) identify reasonable, alternative ways in which to meet the defined purpose and need; and (4) analyze the potential environmental consequences and/or benefits while implementing those reasonable alternatives. The PEA will address potential environmental impacts to certain resources, such as water, air, and historic properties. US-VISIT will be engaging appropriate federal agencies, state, local and tribal governments, and the public during this PEA process.

US-VISIT intends to issue subsequent notices and conduct public involvement meetings, during which US-VISIT will invite the public to comment on information and analyses in the PEA. US-VISIT plans to initiate public involvement meetings in early 2006. The meetings will be held to provide information to the public and allow comments to be submitted on the draft PEA. US-VISIT will address substantive comments and incorporate appropriate changes into the Final PEA. The dates and locations of all public involvement meetings will be announced no less than one week in advance in the local media in the cities and communities in which they are held.

Information about US-VISIT is available at www.dhs.gov/us-visit.

Public Meeting Information
All meetings will be held from 5 PM until 9 PM.

**February 21, 2006**

Miami, Florida area
McDonald Center Community Recreation Center,
Rooms 1, 2 and 3
17051 Northeast 19th Ave., North Miami Beach, FL 33162

**February 23, 2006**

Buffalo, New York area
Buffalo State College, Sports Arena Lobby
1300 Elmwood Ave., Buffalo, NY 14222

Detroit, Michigan area
Coleman A. Young Recreation Center, multi-purpose room
2751 Robert Brady Dr., Detroit, MI 48207

Appendix A

El Paso, Texas area
El Paso High School
800 Schuster Ave., El Paso, TX 79902

Tucson, Arizona area
Pima Community College, Amethyst Community Room Building
CC180
1255 N. Stone Ave., Tucson, AZ 85709

March 2, 2006

Seattle and Bellingham, Washington area
Bellingham High School Commons
2020 Cornwall Ave., Bellingham, WA 98225

San Diego and San Ysidro, California area
Southwestern Community College Student Center, East
900 Otay Lakes Rd.. Chula Vista, CA 91910

Appendix A

Homeland Security

US·VISIT
Keeping America's Doors Open and Our Nation Secure

Why We Are Here

The Department of Homeland Security's United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program has completed a Draft Programmatic Environmental Assessment (PEA) on proposed enhancements to our nation's security and immigration and border management systems

- US-VISIT conducted this Draft PEA in accordance with the National Environmental Policy Act (NEPA) of 1969, which was created to help protect our nation's resources through informed federal decision making.

- NEPA ensures that government agencies recognize and understand the potential environmental consequences associated with policies, missions, operations, and actions.

This meeting provides you with an opportunity to learn more about our Draft PEA and for US-VISIT to learn whether we have addressed environmental issues important to you and your community

- Your comments will help DHS/US-VISIT understand and address concerns about the potential environmental impacts of our proposed actions.

- At this meeting, you will have the opportunity to visit displays, speak with experts, read handouts, and provide feedback on the Draft PEA.

- US-VISIT will gladly accept comments from February 17 to March 18, 2006.

- Comments can be submitted at this meeting. After this meeting, comments can be submitted to US-VISIT.environmental@dhs.gov, or in writing to: US-VISIT Program – Comments, ATTN: Environmental Programs Manager, P.O. Box 587, Arlington, VA 22216-0587.

Take as much time as you need here today to gather information and provide your comments. Thank you for participating.

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- Provide the right information to the right users
- Record and associate entry, exit, and status events

Overview of Potential Environmental Impacts:

- This alternative is expected to have no significant environmental impact.
- This alternative would likely have less environmental impact than taking no action or implementing the Physical Border Alternative.
- This alternative is expected to have low to medium impact on cultural, land use, noise, and waste resources.
- Initially, implementing this alternative may increase vehicle wait times at ports of entry. However, vehicle wait times and traffic flow may eventually improve at ports of entry as a result of more effective entry processing and could produce shorter vehicle wait times than currently experienced at ports of entry today.

No-Action Alternative

This alternative would continue the programs currently in place, without significant change. Entry and exit processes would continue as they are today, with limited infrastructure in place for exit processing.

Overview of Potential Environmental Impacts:

- This alternative would most likely affect air quality and noise, which are directly related to an increase in vehicle wait time due to facility and infrastructure limitations.
- Socioeconomic effects are high in this alternative, primarily because of the effects on trade, commerce, and tourism.

Physical Border Alternative

This alternative would increase and expand physical infrastructure and information collection at ports of entry. Modification of existing facilities, construction of new facilities, building additional traffic lanes, and adding personnel would help to achieve this goal.

Overview of Potential Environmental Impacts:

- This alternative has the greatest potential for direct environmental impacts since a physical, resource-heavy approach would likely result in an increase of construction activity, an increase in impervious surfaces (concrete, asphalt, etc.), addition of exit stations where none had existed, and an associated increase in vehicle wait times.
- This alternative would most likely affect air quality and socioeconomic resources, which are directly related to an increase in vehicle wait time.
- Other environmental concerns include water runoff on

impervious soils, indirect consequences of construction, effects on labor/tourism, and behavioral changes, such as individuals seeking easier routes across the border.

- Socioeconomic effects are high in this alternative due to the effects on trade, commerce, and tourism.

US-VISIT recognizes that this analysis is predictive by nature and will commit to environmental monitoring.

US-VISIT will develop and maintain a "toolbox" of guidance for using environmental metrics that will, at a minimum:

- Develop lessons learned from pilot studies
- Implement strategies for adaptive management
- Develop an environmental policy
- Develop an American Indian Government-to-Government Relations Guidance
- Develop programmatic mitigation strategies
- Develop an environmentally friendly procurement policy

Summary of Potential Environmental Impacts by Alternative

The Executive Summary is available by request and provides a more complete summary of alternatives.

RESOURCE	ALTERNATIVE			
	Virtual	Hybrid	No Action	Physical
Air	1	1.5	2.5	3
Biological	1	2	1	3
Energy	2	2	2	2
Cultural and American Indian	1	1	1	2
Land Use	1	1	1	3
Noise	2	1	2.5	3
Socioeconomic/ Environmental Justice	1	1.5	3	3
Waste	1	1	1	1
Water	1	2	1	2

1-Green: Low - small to no effect on the ability of the environment to absorb the changes in activity level or process

2-Yellow: Medium – some modest effect on the ability of the environment to absorb the changes in activity level or process; does not create effects that exceed regulatory thresholds

3-Red: High - High levels of impact represent a high probability of regulatory non-compliance or a high probability of impacting natural systems beyond their ability to absorb the change (without mitigation). High impacts are not necessarily significant impacts. Significant impacts are high impacts that cannot be mitigated (below the threshold of non-compliance) or high impacts that cannot be reduced (through mitigation).

Homeland Security

US-VISIT
Keeping America's Doors Open and Our Nation Secure

For additional information please contact the US-VISIT Environmental Program:

1616 N. Fort Myer Drive
Arlington VA 22209
http://www.dhs.gov/us-visit
or www.us-visitfacility.us

Appendix A

200602016

Homeland Security

US·VISIT
Keeping America's Doors Open and Our Nation Secure

US-VISIT Has Analyzed the Proposed Action and Alternatives.

US-VISIT has identified potential environmental impacts based on the analysis.

The following information provides:

- An overview of the alternatives to the proposed action.

- Predictive analysis of potential environmental impacts.

US-VISIT reviewed technical literature, projections, planning documents, and environmental baseline studies. While working with a panel of experts, US-VISIT ranked the characteristics of the alternatives and predicted the level of potential environmental impacts at the programmatic level. Individual actions will be assessed in tiered analyses, as necessary.

Under this analysis, it is unclear whether legal immigration will actually increase during the planning horizon being considered in the Draft PEA. However, in order to provide a conservative analysis, it is assumed that there may be modest increase in border crossings at U.S. ports of entry over the next 10 years.

Virtual Border Alternative

This alternative uses advanced information technology to assess individuals prior to entry into the United States. Developing information systems and building the information infrastructure necessary to expand and integrate government systems would help to achieve this goal.

Overview of Potential Environmental Impacts:

- This alternative is expected to have no significant environmental impact.

- This alternative would likely have less environmental impact than taking no action or implementing the Hybrid or Physical Border Alternatives.

- This alternative would likely have low potential impacts on air, biological, cultural, land use, socioeconomic, waste, and water resources.

- This alternative is the most environmentally preferred because it is assumed that vehicle wait times at ports of entry could be minimized through advanced information technology (for example, wireless transmission of data and drive-by scanning) and decentralized data collection and analysis.

- Although this alternative ranks slightly higher than the Hybrid Alternative in terms of environmental preference, neither alternative has significant impacts and the Hybrid Alternative is the proposed action because it ranks higher with respect to the other screening criteria considered by US-VISIT.

Hybrid Alternative: Proposed Action

This alternative combines aspects of the Physical Border and Virtual Border Alternatives, resulting in a combination of physical infrastructure and information technology, achieving four outcomes:

- Establish a unique identity

- Enable data quality and standardization

Rank Order Findings of Least to Greatest Environmental Impacts by Alternative:

- Virtual Border
- Hybrid
- No Action
- Physical Border

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US-VISIT is considering four alternatives to achieve these goals.

A multidisciplinary team within US-VISIT established criteria to screen each of the alternatives. Based on these criteria, four alternative scenarios were developed and were reviewed for possible environmental impacts.

No-Action Alternative

This alternative would continue the programs currently in place without significant change. This alternative calls for status quo operations with currently planned renovations and construction activities.

Virtual Border Alternative

In this alternative, immigration and border management agencies would use advanced information technology to assess individuals for risk, admissibility, and eligibility by collecting data prior to entry into the United States, creating a "virtual" border. This alternative would involve:

- Collecting data at dispersed locations prior to an individual's arrival at a U.S. port of entry

- Developing centralized information systems

- Building the information infrastructure necessary to expand and integrate government systems

Physical Border Alternative

In this alternative, immigration and border management agencies would increase and expand physical infrastructure and information collection at ports of entry to assess individuals for risk, admissibility, and eligibility. In order to manage the volume of individuals and information needed to make a decision, this alternative would involve:

- Constructing or modifying immigration and border management facilities

- Introducing an exit process that mirrors the current entry process

- Expanding lanes and roads at entry and exit points, especially at land border ports

Hybrid Alternative: Proposed Action

This alternative combines aspects of the Physical Border and Virtual Border Alternatives, resulting in a combination of physical infrastructure and information technology to achieve four outcomes:

1. Unique Identity

Establish a biometrically-based unique identity once for an individual at the earliest interaction, such as fingerprints at visa issuance posts

2. Data Quality and Standardization

Develop data standards, requirements for metadata, and/ or systems for data archiving

3. The Right Information to the Right Users

Integrate data across agencies and associate information captured during subsequent interactions to the individual's established unique identity

4. Recording and Associating Entry, Exit, and Status Events

Enhance processing and relational database development and management which would improve the ability to match information to an individual

US·VISIT
Keeping America's Doors Open and Our Nation Secure

Homeland Security

For additional information please contact the US-VISIT Environmental Program:

1616 N. Fort Myer Drive
Arlington VA 22209
http://www.dhs.gov/us-visit
or www.us-visitfacility.us

Appendix A

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Homeland Security

Keeping America's Doors Open and Our Nation Secure

US-VISIT

US-VISIT Is Proposing Alternatives to Enhance the Nation's Security and Border Processes.

US-VISIT is analyzing ways to enhance our nation's security and U.S. immigration and border management systems.

The agencies responsible for immigration and border management need:

- A more effective and comprehensive way to communicate
- A better way to quickly, accurately, and consistently distinguish potential threats from legitimate travelers

Daily, these agencies inspect, apprehend, and process individuals passing through our border. During this complex decision-making process, the immigration and border management enterprise must quickly, accurately, and consistently distinguish potential threats from hundreds of millions of legitimate individuals. To address these challenges, actions are needed to improve information and processes that will maximize the safety and security of our border and increase the efficiency and effectiveness of the immigration and border management process.

US-VISIT has identified a range of solution-oriented alternatives to enhance U.S. immigration and border security measures.

The goals of US-VISIT are to:

- Enhance the security of our citizens and visitors
- Facilitate legitimate travel and trade
- Ensure the integrity of our immigration system
- Protect the privacy of our visitors

Keeping these goals in mind, US-VISIT is proposing potential changes to current immigration and border management processes. The potential changes would be part of a continuum of enhanced security measures that begins overseas and continues through an individual's arrival in and departure from the United States.

US-VISIT proposes a comprehensive plan to enable the following objectives:

- Prevent entry of potential terrorists and other criminals
- Improve identification of individuals
- Facilitate legitimate travel and trade
- Protect privacy
- Increase coordination among federal agencies and other governments

Prevent entry of potential terrorists and other criminals

Protect privacy

Increase coordination among federal agencies and other governments

Improve identification of individuals

Facilitate legitimate travel and trade
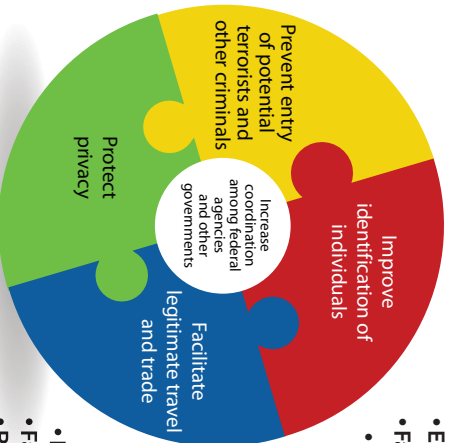
APPENDIX B. TIERING SUBSEQUENT ANALYSES

METHODOLOGY FOR STRATEGIC ENVIRONMENTAL ANALYSES REPORTS

Introduction

In 2003, the U.S. Department of Homeland Security's (DHS) US-VISIT Program strategically evaluated the environmental conditions present at land ports of entry (LPOE) along the United States border with Canada and Mexico based on environmental baseline studies.

The Strategic Environmental Appraisal (SEA) approach was a process of considering the potential natural, physical, and human environmental consequences of a proposed program in a broad context. This strategic approach:

- Assured identification of large scale issues that may not be identified in the traditional approach of concentrating consideration on individual actions within a smaller geographic and social context area;

- Allows decision-makers and stakeholders opportunities to identify consequences of the proposed action and develop sensible mitigation measures or programs to avoid, minimize, rectify, reduce or compensate for those consequences;

- Ensures that planners have the appropriate information to make any required design decisions with a full knowledge of resources that should, where practicable, be avoided;

- Allows decision-makers and stakeholders to identify those issues or resources that, within the broad context, are unlikely to be affected by the proposed action; and

- Allows decision-makers and stakeholders to target those specific affected resources that will be affected for additional detailed investigation and consideration during the NEPA process.

Methodology

The SEA targeted approach leads to more efficient use of resources for the analysis and development of potential mitigation measures. There are 165 LPOEs located along the northern and southern borders. Because of the wide geographic distribution of the LPOEs, they are situated in a number of different and diverse ecological and cultural contexts. Thus, a nationwide context for the SEA Analysis could well "dilute" and obscure important regional considerations of effects. Therefore, a smaller "region of analysis" was required. The "region of analysis" is the ecosystem (USFWS, 2003), as well as the Level III USEPA ecoregions (USEPA, 2003a) contained within each ecosystem.

The broad context of the ecosystem was chosen for this initial data collection and analysis because:

- An ecosystem includes all the living organisms (i.e., people, plants, animals and microorganisms), their physical surroundings (e.g., soil, water, and air) and the natural cycles that sustain them (regardless of political boundaries);

- All elements of an ecosystem are interconnected; therefore, effects on any one resource will affect all;

- The broad context affords the ability to capture potential cumulative effects; and

- Resource agencies have widely adopted and advocated an ecosystem approach to conservation (and impact analysis) because this holistic outlook facilitates the protection of

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a region's function, structure and species composition, as well as its sustainable socioeconomic use.

USEPA Level III ecoregions within each ecosystem were chosen because:

- They are areas of relative homogeneity within ecosystems;

- They are small enough units that small, incremental effects can be measured and defined;

- Resources associated with spatial differences in the quality and quantity of ecosystem components including soils, vegetation, climate, geology and physiography are relatively homogenous within an ecoregion;

- They separate different patterns of human impact on the environment and different patterns in the existing quality of environmental resources; and

- They have proven to be an effective aid for inventory and assessment of national and regional environmental resources, for setting regional resource management goals, and for developing biological criteria and water quality standards (Omernik and Bailey, 1997).

SEA Step-by-step Approach

The steps presented below explain the sequential approach utilized for the development of SEAs for each of the ecosystems containing LPOEs. As described below, this approach has both quantitative (e.g., mapping, field identification of resources) and qualitative (e.g., assessing setting of historically significant structures, agency coordination) components.

Step 1: Assign LPOEs to Ecosystem and Ecoregions and Obtain Large Scale Mapping for Conducting a Preliminary Environmental Review

Step 2: Collect Large-Scale Ecosystem and Ecoregion Information for Each LPOE

Step 3: Conduct Preliminary Screening of LPOE Large-Scale Study Areas

Step 4: Refine Scale of Assessment, Prepare Detailed Mapping and Aerial Photography

Step 5: Verify Mapping and Collect Data Through On-Site LPOE Visits

Step 6: Evaluate Potential Interactions Between US-VISIT and the Environment (i.e., ecosystem and ecoregion)

Step 7: Screen Out LPOEs Where Proposed Actions are Unlikely to Have Significant Effects

Step 8: Identify Authorities Having Responsibilities Over Resources and Issues of Concern

Step 9: If applicable, Initiate Program to Implement Mitigation Sequence

Step 10: Recommend LPOEs Where More Detailed Studies (Mitigation, NEPA) are Required

METHODOLOGY FOR ENVIRONMENTAL BASELINE STUDIES REPORTS.

Introduction

In 2003, the U.S. Department of Homeland Security's (DHS) US-VISIT program evaluated the existing environmental conditions at each Land Port of Entry (LPOE) along the United States borders with Canada and Mexico.

The LPOE evaluations were broken down into groupings of LPOEs according to the U.S. Fish and Wildlife Service (USFWS) ecosystem in which they are located. The bundled analysis of LPOEs within defined USFWS ecosystems provides logical termini with respect to the affected environment and potential impacts resulting from LPOE enhancements/improvements.

The Environmental Baseline Study (EBS) Reports identify site-specific environmental constraints within, and in the immediate vicinity of, each LPOE and an evaluation of potential cumulative impacts within each ecosystem as defined by the USFWS.

Methodology

The EBS studies used and refined information that was collected during the Preliminary Environmental Review (PER) phase of this effort. The PER analysis consisted of an office-level evaluation focusing on variables that are typically assessed in the preparation of an environmental baseline inventory. The purpose of the PER assessment was to provide, for each LPOE, a rapid inventory of potential red-flag issues and concerns within a defined LPOE study area of a 2x5 or 5x5 mile radius. The information and data collected for the PER was large-scale data sets and a protocol to quickly identify potential red flag issues. Natural, physical, and socioeconomic variables were evaluated in the PER, which were then further evaluated in the EBS at both the LPOE-specific level and the larger ecosystem scale for all the LPOEs within an ecosystem.

For the EBS evaluation, each LPOE facility was field investigated by environmental scientists trained in assessing the natural, physical, and socioeconomic environs. Two areas were the focus of investigations at each LPOE. (1) A larger area that is referred to as the area of interest (AOI), and is defined as the area extending approximately 1,000 feet from the LPOE property boundary. (2) A smaller area of investigation was the existing LPOE boundary.

For each LPOE, a Final Assessment Score of Green (1) would imply that the LPOE affected environment (i.e., AOI) contains no resources that could be significantly impacted. This does not imply that the AOI has been "cleared" for construction, only that the AOI, if impacted, should not require detailed studies and/or a permitting process in order to implement the undertaking. Coordination with the appropriate local (if applicable), state, federal agencies a tribe is still required in order to fulfill the Agency's NEPA requirements.

A Final Assessment Score of Amber (2) would imply that the LPOE AOI contains resources that, if impacted, could result in "extraordinary circumstances" but at this time are unknown or not quantifiable. Thus, if the implementation of the undertaking (selection of a technology) results in a condition where design considerations cannot minimize border exit times, additional study will be required to determine the potential consequences of the design limitation.

Last, a Final Assessment Score of Red (3) would imply that the LPOE AOI contains resources that, if impacted collectively as a result of a future undertaking, would result in significant impacts based on the context and intensity of the impacts. This would imply a worst-case scenario, whereby the implementation of a technology at an LPOE facility would result in exit wait times of an unacceptable length and that design consideration cannot be

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implemented within the LPOE facility or AOI to mitigate these potential impacts.

Specifically, the EBS degree of concern rankings for each evaluated variable are detailed below and summarized in Table A-1. These environmental baseline studies were used to develop strategic environmental appraisals of 165 LPOEs on the Northern and Southern borders.

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Table B-1: ASSESSED VARIABLES AND DEGREE OF CONCERN RANKINGS

VARIABLE	DEGREE OF CONCERN DEFINITION
1. Carbon Monoxide (CO) 2. Ozone (O3) 3. Particulate Matter (PM10) 4. Sulfur Dioxide (SO2)	GREEN: Classified as an Attainment area. AMBER: Classified as a Maintenance area. RED: Classified as a Nonattainment area (any level). NOTE: Site-specific air evaluations to be conducted based upon baseline information gathered in EBS.
5. Noise (Maximum Wait Time)	GREEN: No noise sensitive receptors will be impacted. AMBER: The only noise sensitive receptors that may be impacted are residences associated with the LPOE facility itself. RED: Noise sensitive receptor(s) may be impacted. NOTE: Site-specific noise evaluations to be conducted based upon baseline information gathered in EBS.
6. Environmental Justice	GREEN: No known low income or minority communities within the Study Area. AMBER: Not Applicable. RED: Minority and/or low-income populations may be disproportionately impacted. Identify if other alternatives or mitigation measures will avoid or reduce the disproportionately high and/or adverse effect to the environmental justice population. Ensure the full and fair participation of the identified communities (e.g., develop an outreach plan).
7. American Indian Tribes and Resources	GREEN: LPOE is not located where American Indian lands or trust resources are affected. AMBER: LPOE is not located where American Indian lands or trust resources are affected; however, Native American Tribal affiliation and interest is unknown, and coordination to determine Native American Tribal involvement is required. RED: LPOE is located on American Indian lands or trust resources.
8. Prime Farmlands	GREEN: No Prime farmlands/statewide/unique soils within LPOE or adjacent areas. AMBER: Prime farmlands/statewide/unique soils located within and adjacent to LPOE, but impacts would not score above 160 (USDA Form AD-1006). RED: LPOE is within designated boundary of the resources and of such extent that a determination of impact is warranted (USDA Form AD-1006).

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VARIABLE	DEGREE OF CONCERN DEFINITION
9. National Forests/Parks	GREEN: No National Forests or Parks located within or adjacent to LPOE. AMBER: LPOE and surrounding areas are adjacent to a National Park, or within a National Forest. RED: LPOE is within a National Park.
10. State Parks/State Forests	GREEN: No State Forests or State Parks located within or adjacent to LPOE. AMBER: State Park adjacent to LPOE, or LPOE is within a State Forest. RED: LPOE is within a State Park.
11. National Wildlife Refuge/Wildlife Conservation Area	GREEN: No encroachment of either resource within LPOE or adjacent areas. AMBER: NWR located adjacent to LPOE, or LPOE is within a WCA. RED: LPOE is within a NWR.
12. State Wildlife Refuge (Or similar designation)	GREEN: No encroachment of either resource within LPOE or adjacent areas. AMBER: SWR located adjacent to LPOE, or LPOE is within a SWCA. RED: LPOE is within a SWR.
13. Wetlands	GREEN: No jurisdictional wetlands within LPOE or adjacent areas. AMBER: Wetlands within LPOE and adjacent areas. However, avoidance of resource likely, based on the hydrogeomorphic configuration of the resource. RED: Wetlands within LPOE and adjacent areas cumulatively exceed 0.5 acres and avoidance of resource unlikely based on the hydrogeomorphic setting of the resource.
14. Surface Waters	GREEN: No surface water resources located within LPOE and adjacent areas. AMBER: Surface waters within LPOE and adjacent areas may require a Nationwide or General Permit if impacted. RED: LPOE affected environment is located within a high quality/sensitive stream basin which may necessitate special provisions (e.g., aquatic studies, individual Section 404 permits).
15. Hazardous Materials History	GREEN: Phase I ESA study did not identify any recognized environmental conditions. AMBER: Phase I ESA study did identify environmental conditions in connection with the LPOE and/or adjacent, but conditions do not warrant initiation of immediate actions. RED: Phase I ESA did identify recognized environmental conditions and initiation of immediate actions are recommended.

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VARIABLE	DEGREE OF CONCERN DEFINITION
16. Floodways/ Floodplains	GREEN: No designated floodways/floodplains located within LPOE or developable adjacent areas. AMBER: Designated floodways/floodplains adjacent to LPOE but not within LPOE. RED: LPOE is within a designated floodway/floodplain.
17. RTE Species (Federal and State)	GREEN: No known Federal or State (if applicable) RTE Species or Critical Habitat within LPOE and adjacent areas. AMBER: Potential Federal and/or State RTE species involvement, or additional informal consultation required to finalize determination. RED: LPOE and developable adjacent areas encroach upon known RTE site, associated habitat, or Critical Habitat.
18. Wild and Scenic River (Federal and State)	GREEN: No Wild and Scenic Rivers (Federal and State) or rivers under study are within or adjacent to LPOE. AMBER: LPOE and adjacent areas outside of defined boundaries but within same sub-basin of the resource. RED: LPOE is within designated boundary of the resource.
19. Historic Resources	GREEN: No identified NRHP eligible or listed historic resource within LPOE facility and adjacent areas. AMBER: Potential NRHP eligible historic resource(s) within LPOE facility and adjacent areas. Additional investigation and State Historic Preservation Office (SHPO) coordination necessary to determine eligibility and potential effects. RED: NRHP listed historic resource(s) boundary within LPOE and adjacent areas. Assessment of adverse effects determination likely.
20. Archaeological Resources	GREEN: Potential for archaeological properties is low. Minimal archaeological fieldwork and SHPO coordination required. AMBER: Potential for archaeological properties is high. Archaeological fieldwork and SHPO coordination required. RED: Potential for significant adverse effects to archaeological properties is high. Significant archaeological fieldwork and SHPO coordination required.

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APPENDIX C. COMMENT SUMMARIES AND RE-SPONSES, CLARIFICATIONS AND UPDATES

COMMENT SUMMARIES AND RESPONSES

US-VISIT received 32 comment documents during the comment period. Citizens, federal, state and local government offices, and private interest organizations submitted comments in letters and emails, and on comment forms available at the public meetings. The Environmental Protection Agency and the Department of the Interior-United States Geological Survey wrote that they had no comments on the Draft PEA.

The comments were grouped into substantive areas in order to respond to similar inquiries. The substantive comment subjects and responses are included below.

Programmatic Environmental Analysis Approach: Some commenters suggested that an environmental impact statement was a more appropriate level of analysis than the programmatic environmental assessment. As well, some commenters suggested that more site-specific information (such as the number of wetlands in a particular area) be included in the PEA. Some suggested that further analyses should focus on the differences between sites and regions.

Response: US-VISIT coordinated with the Council on Environmental Quality (CEQ) regarding both the programmatic approach of the analysis and the level of analysis. Although CEQ regulations do not make specific reference to a PEA, CEQ regulations do address both programmatic analyses and environmental assessments. A programmatic approach was appropriate given that US-VISIT was evaluating alternatives at a nation-wide level early in the planning process. An EA is the appropriate level of analysis

when it is unclear whether the potential environmental impacts may be significant. At the onset of this analysis, US-VISIT did not know whether the impacts would be significant and therefore chose to do an EA. The analysis in the PEA for the proposed changes to immigration and border management processes resulted in a determination of no significant impacts at a programmatic level and therefore a Programmatic EIS is not warranted.

Each new initiative will require a tiered analysis and those will be made available to the public. In some instances, an EIS may be needed. Examples of circumstances which would trigger an EIS include when new information becomes available, when unforeseen impacts are discovered that could be significant, or when the program is modified at a port or the action and the effects of such a modification may be significant. While this PEA may be incorporated by reference, an EIS cannot be tiered from the PEA. Although some initiatives that may occur in a small number of locations subsequent to this PEA may require a stand alone EIS, those impacts would be local in nature and are not significant on a national or programmatic scale. Therefore, preparation of a Programmatic EIS is not warranted.

In a programmatic analysis, site-specific data is not appropriate for investigation or inclusion. Site-specific analyses will contain more detailed information on the implementation of initiatives at particular locations as appropriate. The PEA includes Section 9-Tiering to help decision-makers utilize this PEA for their site-specific and/or initiative-specific environmental analyses. Effects will be different at different ports because the communities are different. The context in which the action occurs differentiates those effects. US-VISIT took the programmatic approach to discuss the programmatic effects and offer guidance to the subsequent analysts on environmental effects to be weighed. Section 9 of the PEA also provides a roadmap for the tiered analyses, allowing subsequent

documents to focus on those issues that matter at the individual ports or in specific eco-regions.

Tiering: One commenter suggested that "busier ports of entry" cases be separately discussed. One commenter suggested utilizing EBS reports in tiered analyses. One commenter concluded that the employment of adaptive management, monitoring, mitigation and site specific analysis in and of themselves call for an EIS and not to employ tiering as a means to avoid sound environmental planning.

Response: Tiered, site-specific analyses will be completed subsequent to this programmatic analysis and potential impacts for "busier ports of entry" would be identified at that time. Depending on the timing and scope of subsequent initiatives, US-VISIT will consider structuring tiered analyses around the suggested concept of level of operations for different ports or eco-regions. The narrative of various resource areas notes that the EBS and SEA reports were a primary data source for the PEA and that those reports contain useful information for decision-makers preparing subsequent tiered analyses. US-VISIT believes the spirit of NEPA is not about documents, but about trying to minimize the effects on the environment. Adaptive management, monitoring, mitigation and tiered site-specific analyses are intended to minimize the effects on the environment and to manage the activities of the program; these are not, in and of themselves, related necessarily to significant effects and do not call for an EIS.

Specific Mitigation: One commenter suggested that sustainable greenscaping practices be incorporated into every project and that there be a requirement for additional shade from oxygenating trees.

Response: General mitigation strategies were considered in the PEA. As discussed in Section 7-Monitoring the Effects, US-VISIT will develop a toolbox to provide guidance on strategies and information for monitoring, mitigation and stewardship. Approaches such as these may be included in the toolbox depending on site-specific considerations and the government partners responsible for implementation.

Proposed Categorical Exclusion: One commenter stated that since US-VISIT had a proposed CATEX in the Department of Homeland Security's draft NEPA regulations, US-VISIT is therefore seeking exemptions from NEPA.

Response: CEQ's definition of categorical exclusions is "a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a federal agency in implementation of these regulations (1507.3) and for which neither an environmental assessment nor an environmental impact statement is required." By definition, a categorical exclusion will not have a significant impact. A categorical exclusion is not an exemption from NEPA but rather a determination based on prior experience with similar actions that a particular category of actions does not have a significant effect. The list of actions that an agency may categorically exclude from NEPA is subject to rulemaking and also goes through public comment processes. US-VISIT has never waived, nor sought waivers from any environmental law or regulation.

Alternatives implementation: Some commenters supported the implementation of the Hybrid Alternative as being the most effective and the best option, others supported the Virtual Border from an environmental impacts perspective, and still others felt that the No-Action Alternative should be chosen to allow for more time to explore options. Some commenters expressed the need for a fence along the U.S.-Mexico border (a physical border); some felt that there should be some physical measure in place to address those who try to circumvent the virtual process and where it is possible to drive a vehicle across the border.

Response: The Hybrid Alternative is US-VISIT's proposed action and is a balance between strictly virtual border and strictly physical border approaches. A multidisciplinary team at US-VISIT identified the Hybrid Alternative as the preferred approach based on a number of factors including potential environmental impacts as well as other criteria such as facilitating compliance with statutory mandates and privacy considerations (as discussed in Section 4-Establishing the Alternatives and Describing the Proposed Action). This PEA is focused on alternative approaches to implementing the US-VISIT Program at the land border ports of entry. Suggested courses of action for the border areas (i.e., the area between the land border ports of entry) are under the jurisdiction of Customs and Border Protection (CBP) and are outside the scope of this analysis. US-VISIT and CBP are both agencies within the Department of Homeland Security and have coordinated and will continue to coordinate on larger issues with respect to the greater immigration and border management community efforts.

Summary of Potential Environmental Impacts by Alternatives and Significance: Some commenters suggested clarification on the definitions for high, medium and low environmental impacts. Response: The PEA analysis took into account the CEQ regulations and guidance for determining significance, including context and intensity. For example, some land border ports of entry are located within non-attainment areas for air quality standards (context), and the analysis evaluated this context against US-VISIT's current understanding of proposed changes to processes and impacts on wait times (intensity of activity). In response to the comments received and in order to clarify the analysis, US-VISIT further refined the definitions used in this analysis to reflect the methodology used while achieving concurrence with the CEQ regulations. In addition, some examples were added (such as examples to clarify "regulatory thresholds") in order to provide greater

specificity on what was intended. Table 1-Summary of Potential Environmental Impacts by Alternative includes these clarifications.

The alternatives within the PEA are assessed in a relative ranking mode. That is, while it is concluded that even though the Physical Border Alternative will not have significant environmental effects, this alternative has more effects than the Hybrid Alternative and the Hybrid Alternative has more effects than the Virtual Border Alternative. The relative ranking shows the decision-maker the relative environmental effects. The analysis that led to the rankings concluded that implementation of any alternative would not result in a significant environmental effect.

Impacts of Exit Processing: One commenter remarked that it was difficult to understand how doubling infrastructure under the Physical Border Alternative or greatly increasing wait times where infrastructure cannot be doubled would have a non-significant environmental impact.

Response: The PEA notes, particularly for the Physical Border Alternative, that air quality impacts could result at certain land border ports of entry. However, this PEA is a programmatic evaluation of potential environmental impacts on a national scale. Subsequent tiered analyses will evaluate air quality impacts at the site-specific level where doubling the infrastructure or increasing processing times could have negative impacts on the environment at the local level. Since these potential impacts would be limited to a few locations and be local in nature, implementing the preferred Hybrid Alternative would not result in a significant impact on a programmatic level.

Program Concept, Scope, Specificity of Implementation: Some commenters had concerns about whether conceptualizing the program or selecting technologies is necessary to determine whether or not there is a significant impact. One commenter felt that he/she

needed more information as to how everything would be implemented. Another commenter felt that DHS should determine the limits of US-VISIT.

Response: CEQ regulations urge early application of NEPA. 40 CFR 1501.2 states: "Agencies shall integrate the NEPA process with other planning at the earliest possible time to insure that planning and decisions reflect environmental values, to avoid delays later in the process, and to head off potential conflicts." This PEA is intended to help inform planners and decision-makers of the potential environmental effects to further their understanding in the design and implementation of the US-VISIT program. If the analysis were to wait for specific decisions, it might be too late in the process to account for some effects. The US-VISIT Program was established by and continues to be defined by various laws and Department directives and responds to identified needs of the immigration and border management community. Specific implementation details will be developed as the Program matures and as subsequent projects are evaluated and decided upon. US-VISIT suggests that commenters maintain contact with the local US-VISIT Public Outreach liaison in order to receive continued updates on the status of US-VISIT initiatives. Those local liaisons can be identified by calling US-VISIT's main telephone number, 202-298-5200 and asking for the US-VISIT Public Outreach office or by emailing *subscribeusvisit@dhs.gov* to sign up for the US-VISIT listserve to receive the latest news and information on US-VISIT. In addition, the public will have the opportunity to view future tiered environmental assessments on specific US-VISIT initiatives.

Information Sharing With Partners: One commenter was not clear as to whether "information sharing with our partners" means sharing information with other nations, such as those where the U.S. has consular offices and where the immigration system often first encounters a prospective tourist of immigrant, or whether that

refers to the partner agencies within the executive branch. Response: The "partners" refers to other United States Government immigration and border management partners such as Customs and Border Protection (CBP), U.S. Citizenship and immigration Services (USCIS), Immigration and Customs Enforcement (ICE) and the Departments of State and Justice. The creation of an integrated system, as discussed in the PEA, does not call for sharing information with foreign governments at this time.

Dispersion: Several commenters asked for or suggested the need for clarification with respect to the "dispersion" concept. One reviewer asked for specific clarification on how dispersion would affect ASC locations.

Response: US-VISIT anticipates that as the processing of individuals is dispersed to other locations, i.e., not focused at a single land border ports of entry, impacts at those other locations would be minimized. The dispersion refers to the current or future processes of a land border port of entry being distributed to more than one location. The other locations (ASC, consular office, etc.) would not necessarily have the same volume of persons to process as a land border port of entry. When proposed changes or processes are field tested at a pilot level, operators and planners can adapt the processes in a number of different ways to reduce impacts if needed or appropriate. US-VISIT has added a graphic at Section 9-Tiering which may further aid readers with the dispersion concept. At ASCs, visitors do not typically wait in traffic queues as they could at a land border port of entry. Therefore, traffic and air quality concerns are not expected to be an issue at an ASC and the dispersion of processes away from a land border port to an ASC should minimize environmental impacts. The locations where this dispersion of processes would take place already conduct another type of immigration and border management processing. Therefore, the dispersion of processes would not result in a movement of

populations from the land border to these locations. The locations would simply add a new process to the processes currently being performed for the existing population.

Cultural and American Indian Resources: One State Historic Preservation Officer noted concerns regarding potential impacts to historic border stations, suggesting creative and open-minded efforts for reuse of historic buildings and proposing that the border stations sites are critical to understanding of the local, state, and national importance of border policy. Another commenter asked for clarification on the noted "inventory." Another reviewer suggested that the indirect effects of illegal immigration merited the preparation of an EIS or more in-depth mitigation strategies.

Response: US-VISIT recognizes and is sensitive to the importance and existence of historic buildings at many border stations across the U.S. land borders. US-VISIT maintains an ongoing dialogue with the State Historic Preservation Officers (SHPOs) in all of the border states to keep the SHPOs apprised of general plans and project approaches, and to facilitate specific agency consultations as applicable to specific projects. If any of US-VISIT's proposed projects result in potential impacts to historic properties, US-VISIT will conduct appropriate consultation and make reasonable efforts to avoid or minimize those impacts.

In the Cultural and American Indian Resources sections for the Hybrid, No-Action and Physical Border Alternatives, US-VISIT has replaced the sentence "US-VISIT is currently updating this inventory through field investigations." with "US-VISIT is in the process of updating available archival data (i.e., cultural resources information in the SEA and EBS reports) by conducting cultural resources surveys at the land border ports of entry."

Also, to clarify, in Section 7-Monitoring the Effects, for Cultural and American Indian Resources, US-VISIT has changed the last sentence to read: "US-VISIT will maintain in its toolbox, information on historic properties, a record of interaction with SHPOs and THPOs, and a template for an Unintentional Discovery Plan." The PEA addresses the potential indirect environmental effects of illegal immigration on American Indian lands. However, US-VISIT does not believe this issue alone rises to a significant environmental effect. Any effects of illegal immigration would be site-specific and limited in scope and therefore not significant at a programmatic level. However, as a precaution, the US-VISIT program has committed to developing an environmental mitigation toolbox that includes an American Indian Government-to-Government Relations Guidance which will be developed collaboratively with tribal governments.

Traffic Modeling: A commenter from California inquired about what kind of modeling process and/or what specific modeling software US-VISIT is using to model traffic and flows. Some California organizations inquired about information on impacts to local and regional traffic flows.

Response: US-VISIT uses the Border Wizard modeling tool for evaluating impacts to traffic patterns at land border ports of entry as a result of changes in infrastructure and operating processes at border stations. The Border Station Partnership Council (BSPC) performs oversight functions in the development and use of the modeling program. US-VISIT will coordinate on site-specific modeling efforts as needed to support local and regional efforts to identify traffic issues and has added that commitment to Section 7-Monitoring the Effects.

Site-specific traffic modeling would account for any process changes resulting from or related to implementation of US-VISIT.

Site-specific analyses will address more local impacts to traffic such as traffic congestion, traffic flow and road safety impacts. US-VISIT will work with local and regional interests to coordinate on issues such as potential impacts to traffic on local and regional transportation systems. US-VISIT encourages local points of contact for local and regional issues to identify themselves to the US-VISIT Office of Facilities and Engineering at (202) 298-5250.

Environmental Justice: One commenter proposed that the Executive Order for Environmental Justice (E.O. 12898) be applied.

Response: US-VISIT has determined that, at a programmatic level, the implementation of the proposed action will not have significant impacts. The environmental justice E.O. prompts a more specific analysis to see if low-income or minority populations are bearing a disproportionate amount of any significant environmental impacts. US-VISIT does not anticipate any significant impacts at the programmatic level. Environmental justice analyses and related additional targeted public involvement are most applicable at local levels and, if necessary given significant impacts and population demographics, would be considered in subsequent tiered analyses.

Human Health Effects: One commenter asked about compliance with appropriate human health exposure standards concerning any technology implementation.

Response: US-VISIT noted in the PEA in Section 6-Predicting the Effects that "Human health effects are not considered in this Draft PEA as decisions on various technology implementation projects would take into account those technologies' compliance with appropriate human health exposure standards." US-VISIT has an established Request for Information (RFI) process which requires industry to disclose adherence to applicable human health standards. US-VISIT is also developing a "single standard" process for

use on future initiatives that will also capture these human health considerations.

Indirect Effects: One commenter noted that the analysis should include reasonably foreseeable indirect effects in the analysis. **Response:** DHS must consider reasonably foreseeable indirect effects that are caused by actions that are later in time or farther removed in distance. The PEA highlights such impacts. For instance, the PEA concludes that an indirect effect that should be considered by decision-makers is the possible effects on Indian reservations and public lands as a result of illegal crossings.

Socioeconomic Impacts: Commenters stated that delays at the San Ysidro, California and at Peace Arch, Washington border crossings have or could have economic impacts. Commenters also raised questions about the impacts of user fees and the addition of Canadian citizens to the US-VISIT Program.

Response: Possible traffic delays at particular land ports of entry will be analyzed in site-specific analyses. NEPA requires the decision-maker to look at socioeconomic impacts only as they relate to the potential environmental impacts of a project. Additional clarification is included below in Clarifications.

When any government agency proposes a program through law, that agency is required to analyze the anticipated costs of the program and report that information to the Office of Management and Budget. That cost analysis process is, while outside the scope of the environmental analysis, part of the federal decision-making process. Additional information on economic impacts and how and to what degree US-VISIT addressed them in this PEA is contained under the second heading of this section, Clarifications-Socioeconomics. Should user fees be reasonably foreseeable, they could have a socioeconomic impact but that impact would, at best,

be tenuous in regard to the biophysical environment. Even so, it remains an abstract question because the US-VISIT program has not decided to implement user fees, nor are such fees under consideration in the reasonably foreseeable future.

Border Trade: One commenter noted that the PEA referred to Canada as the largest border for traffic trade volume but noted that Figure 2, page 10 does not indicate any Canadian ports are in the top 10 busiest ports. The commenter also asked if ports not in the top 10 busiest ports would get sub-optimal solutions.

Response: Canada and the United States do have a larger trade volume than Mexico and the United States. However, the "Total Yearly Inspections" categories indicated in Figures 2 and 6 (two of the same map) reflect the volume of traveler inspections. There is not a direct correlation between the total trade volume for a border and the number of persons inspected. No port would get less than the appropriate solution and one of the benefits of the Hybrid Alternative is that the appropriate mix of technology and physical infrastructure can be considered for each location.

Noise Impacts for the Virtual Border Alternative: One commenter asked for clarification on short-term vs. long-term impacts.

Response: The sentence at page 28 should have read. "These impacts would be short-term in duration and occur to a lesser extent than the Hybrid or Physical Border Alternatives." "Hybrid" should have been used in place of "No-Action." This correction has been made in the text of the document. This clarification is consistent with the short-term increase in construction that would be experienced under the Hybrid and Physical Border Alternatives. While there isn't the absence of construction under the No-Action Alternative as suggested in the comment, construction would be limited in scope to currently planned activities and would have the least

amount of associated constriction activity and noise impacts as compared to the other alternatives.

Coordination on Regional and Site-Specific Issues: One commenter suggested possible considerations to regional transportation issues. Another commenter (NOAA) requested clarification on handling geodetic monuments, should the monuments be affected. One commenter suggested clarity on scope and schedule of programs for coordination.

Response: US-VISIT is committed to proactive and meaningful coordination with persons and organizations potentially affected by US-VISIT's proposals. Those with input on regional transportation issues are encouraged to identify themselves to the US-VISIT Office of Facilities and Engineering at (202) 298-5250. Section 7-Monitoring the Effects has been updated to specifically mention geodetic monuments as an example of potential topics warranting a mitigation strategy. Additionally, the implementation of the proposed action with respect to particular monuments or resources may be considered in subsequent site-specific tiered analyses. US-VISIT has added a commitment to coordinate with local and regional interests. In addition, any projects will comply with appropriate state and federal environmental analysis regulations and permitting requirements.

Public Meetings and Future Public Outreach: Commenters that attended the public meetings noted that the meetings aided their understanding of the US-VISIT Program, were informative and were well staffed. One comment received at the Bellingham, Washington public meeting stated that the commenter had not seen publicity in the local media for the meetings. Also, some commenters noted that for future efforts, there should be specific outreach efforts.

Appendix C

Response: US-VISIT held 7 public meetings across the United States during the comment period. US-VISIT placed advertisements in both national newspapers and in papers local to the meeting locations. Specifically in support of the Bellingham meeting, US-VISIT placed display advertisements in the Seattle Times, Northern Lights, and Bellingham Herald newspapers. US-VISIT's Office of Public Outreach and Liaison maintains an ongoing dialogue with communities regarding US-VISIT plans and programs. US-VISIT Outreach can be contacted through US-VISIT's main telephone number, 202-298-5200, and can provide contact information for various offices or agencies that may be completing subsequent tiered analyses. Interested persons may also send an email to *subscribeusvisit@dhs.gov* to subscribe to US-VISIT's listserve which provides the latest news and information on US-VISIT.

UPDATES

Ferries are technically considered land border ports of entry by CBP since ferries essentially provide the transport service that would otherwise be provided via a bridge or tunnel if those options were available. This designation does not change or alter the analysis in the PEA.

US-VISIT held seven public meetings during the public comment period. A total of 70 persons attended. The meeting locations information is included in the Final PEA (as it was in the Draft PEA) in Appendix A-Public Involvement Materials. The three handouts available at the public meetings are also included in the public involvement appendix.

CLARIFICATIONS
Socioeconomics
Several comments were received related to specific actions at land border ports of entry which could possibly affect local businesses. The site-specific comments are out of scope of this document and will be dealt with as appropriate when site-specific analyses are conducted.

In general, comments related to socioeconomics related to the effects of increasing wait times at border crossings (in either direction), increased requirements for documentation (e.g. passports), and community disruption for metropolitan areas that straddle a border. Socioeconomic impacts related to delay at the border affecting the movement of goods, labor and tourists are discussed in the PEA under socioeconomics. In general, slowimg the movement of goods and people through ports of entry adds costs to transport and is socially disruptive. Vehicle delays can also cause air quality impacts which could affect air quality and human health. Vehicle delays also affect communities on the border because of disruption of local transportation systems (backups on roadways, blocked intersections, and decrease in business because of the increased inconvenience). The PEA also discussed disrupted patterns of migration as delays (real and perceived) affect decisions about where, when and how often to cross the border are affected.

CEQ regulations do require agencies to look at social impacts when in an environmental impact analysis (40 CFR 1508.14). However, the regulations specifically state that such effects should be associated with the "relationship of people with that environment." Further the regulation states that "this means that economic or social effects are not intended by themselves to require preparation of an environmental impact statement." Following the CEQ regulations, the level of socioeconomic analysis captured in this Programmatic Environmental Assessment is appropriate for the proposed action. Social effects are not intended by themselves to require preparation of an environmental impact statement.

Appendix C

General

P 19, Section 5, 1st sentence, changed to read: "Activities along the border take place along…."

P20, 1st paragraph, 2nd sentence, changed to read: "Post September 11, 2001, legal immigration has declined in the United States."

For Air Quality discussion: NAAQS stands for the National Ambient Air Quality Standards. This has been added at the first air quality discussion in Section 6-Predicting the Effects.

For the purpose of this analysis, biological resources considered are those associated with animal species, plant species, and related habitats.

In the Final PEA, e-waste has been changed to read "electronic waste."

Three maps are included in both the Executive Summary and in the body of the PEA for ease of use to readers, particularly those reviewing only the Executive Summary. The two sets of maps are the same in content.

The map (Figure 2-United States Land Ports of Entry) showing the land ports of entry actually depicts six land ports of entry in California, not five. As noted in the map legend, there is the possibility of overlapping indicators (the dots) for individual ports due to the map scale.

For specific electronic equipment purchasing, two sentences in the Executive Summary and Section 10-Conclusions, have been clarified to read: Consequently, decisions about purchasing electronic equipment (when there is no discernable difference among brands and the equipment is constructed, installed, and used in a man-

ner that meets all applicable requirements to protect the environment and human health) for implementation of the proposed action needs no further consideration under NEPA. Decision about different types of technology may trigger environmental analysis under NEPA.

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