



**FINAL**

**ENVIRONMENTAL STEWARDSHIP PLAN  
CONSTRUCTION, OPERATION, AND MAINTENANCE  
AIRPORT MESA ROAD AND FENCE  
U.S. Border Patrol San Diego County, California**

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



**June 2008**



**FINAL**

**ENVIRONMENTAL STEWARDSHIP PLAN  
CONSTRUCTION, OPERATION AND MAINTENANCE OF  
AIRPORT MESA ROAD AND FENCE  
U.S. BORDER PATROL SAN DIEGO COUNTY, CALIFORNIA**

**June 2008**

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## COVER SHEET

### FINAL ENVIRONMENTAL STEWARDSHIP PLAN CONSTRUCTION, OPERATION AND MAINTENANCE OF AIRPORT MESA ROAD AND FENCE U.S. BORDER PATROL SAN DIEGO SECTOR, CALIFORNIA

**Responsible Agencies:** U.S. Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP), U.S. Border Patrol (USBP).

**Coordinating Agencies:** Bureau of Land Management (BLM); U.S. Army Corps of Engineers (USACE)-Los Angeles District; U.S. Fish and Wildlife Service (USFWS); and U.S. Section, International Boundary and Water Commission (USIBWC).

**Affected Location:** East slope and top of Airport Mesa, east of Jacumba, San Diego County, California.

**Project Description:** The Project includes the construction, operation, and maintenance of tactical infrastructure to include primary pedestrian fence, an access road to the top of Airport Mesa and two observation/parking pads on top of the mesa next to the U.S./Mexico international border within the USBP San Diego Sector, California.

**Report Designation:** Environmental Stewardship Plan (ESP).

**Abstract:** CBP plans to construct, operate, and maintain a 0.67 mile new road to access two observation/parking pads at the top of Airport Mesa, east of Jacumba, California. In addition, 450 feet of primary pedestrian fence will be constructed on the top of the mesa along the U.S./Mexico international border within the Roosevelt Reservation in the USBP San Diego Sector, California.

This ESP analyzes and documents environmental consequences associated with the Planned Action.

The public may obtain additional copies of the ESP from the project Web site at [www.BorderFencePlanning.com](http://www.BorderFencePlanning.com); by emailing [information@BorderFencePlanning.com](mailto:information@BorderFencePlanning.com); or by written request to Mr. Loren Flossman, Program Manager, SBI Tactical Infrastructure, 1300 Pennsylvania Ave, NW, Washington, DC 20229, Tel: (877) 752-0420, Fax: (703) 752-7754.



## EXECUTIVE SUMMARY

### BACKGROUND

U.S. Customs and Border Protection (CBP) and U.S. Border Patrol (USBP) will construct an access road along the east slope of Airport Mesa and two observation/parking pads within the Roosevelt Reservation at the top of the mesa to aid in detecting illegal aliens (IAs) and smugglers crossing the border in that area. A 450-foot section of primary pedestrian fence will also be constructed at the top of the mesa, located in eastern San Diego County, California.

In Section 102(b) of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), Congress mandated that the U.S. Department of Homeland Security (DHS) install fencing, barriers, roads, lighting, cameras, and sensors on not less than 700 miles of the southwestern border. This total includes certain priority miles of fencing in areas most practical and effective in deterring illegal entry and smuggling into the United States. Congress has mandated that these priority miles be completed by December 2008. To that end, DHS plans to complete 370 miles of pedestrian fencing and 300 miles of vehicle fencing along the southwestern border by the end of 2008. As of March 21, 2008, 201 miles of primary pedestrian fence and 140 miles of vehicle fence remained to be constructed to meet the December 2008 deadline. These efforts support the CBP mission to prevent terrorists and terrorist weapons from entering the U.S., while also facilitating the flow of legitimate trade and travel.

On April 1, 2008, the Secretary of DHS, pursuant to his authority under Section 102(c) of IIRIRA, exercised his authority to waive certain laws that were an impediment to the expeditious construction of tactical infrastructure along the southwestern border. Although the Secretary's waiver means that CBP no longer has any specific legal obligations under these laws, the Secretary committed the Department to responsible environmental stewardship of our valuable natural and cultural resources. CBP strongly supports this objective and remains committed to being a good steward of the environment.

Although the Secretary has exercised the authority vested in him by Congress, DHS and CBP remain committed to building tactical infrastructure in an environmentally responsible manner. In support of this commitment, CBP will continue to work in a collaborative manner with local government, state and Federal land managers, and the interested public to identify and minimize the impact to environmentally sensitive resources.

CBP is performing an environmental review of the fencing projects and will publish the results of this analysis in Environmental Stewardship Plans (ESPs), including mitigation and Best Management Practices (BMPs) developed to minimize adverse effects on the environment. These ESPs will be developed for each USBP Sector scheduled for tactical infrastructure improvements and will address each segment of pedestrian and vehicle fencing covered by the waiver.

## **GOALS AND OBJECTIVES OF THE PLANNED ACTION**

The goal of the Project is to increase border security within the USBP San Diego Sector with an ultimate objective of reducing illegal cross-border activity. The project further meets the objectives of the Congressional direction in the Fiscal Year (FY) 2007 DHS Appropriations Act (Public Law [P.L.] 109-295), Border Security Fencing, Infrastructure, and Technology appropriation to install fencing, infrastructure, and technology along the border.

The USBP San Diego Sector identified this distinct area along the border as one that experiences high levels of illegal cross-border activity. This type of activity occurs in areas near POEs where concentrated populations might live on either side of the border, that contain thick vegetation that can provide concealment, are fairly remote and not easily accessed by USBP agents, or that have quick access to U.S. transportation routes.

The Project will provide access for USBP personnel to the top of Airport Mesa, a high vantage point in the area which will allow improved visual surveillance along the U.S./Mexico border. Improved visual surveillance will improve efficiency of apprehension and deterrence of illegal cross-border activities. The 450-foot fence segment will prevent IAs from entering the U.S. along the flat top of the mesa.

## **PLANNED ACTION**

CBP and USBP San Diego Sector will construct a 0.67 mile long by 24-foot wide road along the east slope to the top of Airport Mesa, which is located 2.3 miles east of Jacumba, California. This road will provide USBP agents access to the top of the mesa to reach two observation/parking pads that will be constructed within the Roosevelt Reservation adjacent to the border. Cut and fill activities will be required for the road activities along the slope of the mesa; consequently, the permanent impact area will be approximately 50-foot wide and will total 4.12 acres, including the road along the fence. An all-weather road surface stabilizer, such as *PennzSuppress*, *Road Oyl* or other similar material will be applied to the final road surface, and top shots of stabilizer will be added annually or as needed to maintain the road in useable condition.

A 450-foot long bollard-style primary pedestrian fence will be installed along the border within the Roosevelt Reservation at the top of the mesa to prevent IAs from crossing the border illegally from Mexico. A road encompassing the entire Roosevelt Reservation will also be constructed to allow for installation and maintenance of the fence. Excess excavated material that cannot be used on-site will be placed in a 7-acre staging site on private land for later use in CBP and USBP projects or for permanent disposal elsewhere.



## SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION

Table ES-1 provides an overview of potential environmental impacts by specific resource areas. Chapters 3 through 11 of this ESP address these impacts in more detail. CBP followed specially developed design criteria to reduce adverse environmental impacts and will implement mitigation measures to further reduce or offset adverse environmental impacts. Design criteria to reduce adverse environmental impacts include selecting a route that will minimize impacts, consulting with Federal and state agencies and other stakeholders to avoid or minimize adverse environmental impacts, and developing appropriate BMPs to protect natural and cultural resources. BMPs will include implementation of a Storm Water Pollution Prevention Plan (SWPPP), Construction Mitigation and Restoration (CM&R) Plan, Spill Prevention Control and Countermeasures Plan (SPCCP), Dust Control Plan, Fire Prevention and Suppression Plan, and Unanticipated Discovery Plan to protect natural and cultural resources.

The project area consists of a rocky slope on the steep sides and flat top of Airport Mesa. Vegetation is sparse, particularly on the top of the mesa due to illegal grazing of Mexican cattle. No impacts on cultural resources, socioeconomics, health and safety or land use will occur. Minor impacts on native vegetation, water resources, air quality and soils will occur due to construction of the road, fence and observation/parking pads. Surveys for the Quino checkerspot butterfly (*Euphydryas editha quino*), the only Federally listed species known in the area, found no presence or suitable habitat in the project area, and thus, this species would not be impacted. Other wildlife in the area will be temporarily displaced during construction.

**Table ES-1. BMPs and Mitigation Measures for Affected Resources**

AFFECTED RESOURCE	EFFECTS OF THE PROJECT	BMPs and MITIGATION MEASURES
Water Resources	Possible minor erosion impacts and POL spills.	A SWPPP and a SPCCP will be developed and implemented by contractors.
Soils	Possible minor erosion impacts and POL spills.	A SWPPP and a SPCCP will be developed and implemented by contractors.
Air Quality	Minor and temporary impact on air quality will occur during construction; air emissions will remain below <i>de minimis</i> levels.	Construction equipment will be maintained to minimize emissions. Dust control will be implemented.
Cultural Resources	No impacts are expected.	Discovered buried resources will be preserved, and SHPO will be consulted
Biological Resources	Minor disturbance of vegetation and displacement of wildlife species. No impacts on threatened or endangered species.	Construction area will be flagged to prevent unnecessary disturbance of natural areas
Health and Safety	No public health and safety impacts.	A health and safety plan for employees will be developed and followed by contractors

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***SECTION 1.0***  
***GENERAL PROJECT DESCRIPTION***

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## **1.0 GENERAL PROJECT DESCRIPTION**

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### **1.1 INTRODUCTION TO THE ENVIRONMENTAL STEWARDSHIP PLAN**

In Section 102(b) of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), Congress mandated that the United States (U.S.) Department of Homeland Security (DHS) install fencing, barriers, roads, lighting, cameras, and sensors on not less than 700 miles of the southwestern border. This total includes certain priority miles of fencing in areas most practical and effective in deterring illegal entry and smuggling into the U.S. Congress has mandated that these priority miles be completed by December 2008. To that end, DHS plans to complete 370 miles of pedestrian fencing and 300 miles of vehicle fencing along the southwestern border by the end of 2008. As of March 21, 2008, 201 miles of primary pedestrian fence and 140 miles of vehicle fence remained to be constructed to meet the December 2008 deadline. These efforts support the U.S. Customs and Border Protection (CBP) mission to prevent terrorists and terrorist weapons from entering the U.S., while also facilitating the flow of legitimate trade and travel.

On April 1, 2008, the Secretary of DHS, pursuant to his authority under Section 102(c) of IIRIRA, exercised his authority to waive certain laws that were an impediment to the expeditious construction of tactical infrastructure along the southwestern border. Although the Secretary's waiver means that CBP no longer has any specific legal obligations under these laws, the Secretary committed the Department to responsible environmental stewardship of our valuable natural and cultural resources. CBP strongly supports this objective and remains committed to being a good steward of the environment. A copy of the waiver is included as Appendix A.

In support of its commitment to environmental stewardship, CBP will continue to work in a collaborative manner with local government, state and Federal land managers, and the interested public to identify environmentally sensitive resources and develop appropriate best management practices (BMPs) to avoid or minimize adverse impacts resulting from the projects.

CBP is conducting an environmental review of the projects and will publish the results of this analysis in Environmental Stewardship Plans (ESPs), including mitigation and BMPs developed to minimize adverse effects on the environment. These ESPs will be developed for each U.S. Border Patrol (USBP) Sector scheduled for tactical infrastructure improvements and will address each segment of pedestrian and vehicle fencing covered by the waiver.

The project area covered by this ESP has been determined to be an area of high illegal entry into the U.S., and the project area has been designated by the Secretary of DHS as an area of critical border tactical infrastructure (TI). As such, the project area is designated as an area where completion of border TI must be accomplished in an expeditious manner, and the Secretary of DHS has waived compliance with all Federal, state, or other laws, regulations and legal requirements deemed to be impediments to

the completion of the TI (the Planned Action). This ESP is prepared in order to evaluate impacts of the Planned Action on natural and human resources in the project corridor, and to assist CBP and USBP in conserving critical resources during construction and operation of the TI being installed. This ESP is designed in a format that identifies each affected resource and evaluates all potential impacts on that resource, with the intent to minimize impacts. This ESP was not prepared to comply with specific laws or regulations; rather, it is a planning and guidance tool to assist CBP to accomplish construction in a manner that will minimize adverse impacts, to the extent practical.

Some resources within the Planned Action's region of influence (ROI) are not addressed in this ESP because they are not relevant to the analyses. The resources that are not addressed, and the reasons for eliminating them are:

- Climate: The project will not affect or be affected by climate, so climate impacts are not included for further analysis.
- Roadways/Traffic: All of the activities associated with the Project will take place on private roads and relatively inaccessible lands along the U.S./Mexico border, and no activities will take place on public roadways, other than normal transport of goods and personnel on an intermittent basis. Therefore, impacts on roadways and traffic are not included for further analysis.
- Communications: The project will not affect communications systems in the area.
- Wild and Scenic Rivers: The Project will not affect any designated Wild and Scenic Rivers because no rivers designated as such are located within or near the project corridor.
- Noise: Due to the remote location of the project site, the type of construction planned, and the lack of sensitive noise receptors in the area, a noise impacts discussion is not warranted for this project. Noise impacts on biological resources will be discussed in that section.
- Utilities and Infrastructure: No utilities and existing infrastructure will be affected by the Project, since none are present in the area; therefore, utilities and infrastructure are not included for further analysis.
- Recreation: Although the Project will be built on Bureau of Land Management (BLM) land, the land is not part of any dedicated recreation area, and there are no significant recreational opportunities on public land in the project area due to the steep terrain and lack of public access routes. Therefore, recreation impacts are not included for further analysis.

## 1.2 USBP BACKGROUND

The mission of CBP is to prevent terrorists and terrorist weapons from entering the U.S., while also facilitating the flow of legitimate trade and travel. In supporting CBP's mission, USBP is charged with establishing and maintaining effective control of the borders of the U.S. USBP's mission strategy consists of five main objectives:



- Establish substantial probability of apprehending terrorists and their weapons as they attempt to enter illegally between the Ports of Entry (POEs);
- Deter illegal entries through improved enforcement;
- Detect, apprehend, and deter smugglers of humans, drugs, and other contraband;
- Leverage “smart border” technology to multiply the effect of enforcement personnel; and
- Reduce crime in border communities and consequently improve quality of life and economic vitality of targeted areas.

USBP has nine administrative sectors along the U.S./Mexico border. Each sector is responsible for implementing an optimal combination of personnel, technology, and infrastructure appropriate for its operational requirements. The San Diego Sector is responsible for San Diego County, California, and the area affected by the Project includes a small area in eastern San Diego County near the town of Jacumba, California.

### **1.3 GOALS AND OBJECTIVES**

The goal of the project is to increase border security within the USBP San Diego Sector with an ultimate objective of reducing illegal cross-border activity. The project further meets the objectives of the Congressional direction in the Fiscal Year (FY) 2007 DHS Appropriations Act (Public Law [P.L.] 109-295), Border Security Fencing, Infrastructure, and Technology appropriation to install fencing, infrastructure, and technology along the border.

The USBP San Diego Sector identified this distinct area along the border as one that experiences high levels of illegal cross-border activity. This type of activity occurs in areas near POEs where concentrated populations might live on either side of the border, that contain thick vegetation that can provide concealment, are fairly remote and not easily accessed by USBP agents, or that have quick access to U.S. transportation routes.

The goal of the road planned in the Project is to provide access for USBP personnel to the top of Airport Mesa, a high vantage point in the area which will allow improved visual surveillance along the U.S./Mexico border. The objective of the Project is improved visual surveillance that will improve deterrence of illegal cross-border activities and efficiency of apprehension of illegal alien (IA) migration across the border. The 450-foot long fence segment will prevent IAs and other cross-border violators from entering the U.S. along the relatively flat top of the mesa.

## 1.4 STAKEHOLDER AND PUBLIC OUTREACH

A Draft Supplemental Environmental Assessment (SEA) was prepared for the project to supplement an Immigration and Naturalization Service (INS) Environmental Assessment (EA) prepared in 2003, which covered a wide variety of TI proposed for construction along the border in San Diego County, including the Airport Mesa Road to be located along the west slope of the mesa. The location of the road was later changed to the east side of the mesa. A second Draft SEA for the project was released for public comment in June 2007 for a period of 30 days. No state, Federal or other agency comments and no public comments were received during that public comment period.

Although the Secretary of DHS issued the waiver, and thus, CBP has no responsibilities under the National Environmental Policy Act (NEPA) for this project, CBP reviewed, considered, and incorporated comments received from the public and other Federal, state, and local agencies, as appropriate, during the preparation of this ESP. CBP's response to letters and other correspondence received during the previous public review period will be posted on the Internet at the following URL: [www.BorderFencePlanning.com](http://www.BorderFencePlanning.com).

In addition to the past public involvement and outreach program, CBP has continued to coordinate with various Federal and state agencies during the development of this ESP. Federal agencies consulted are described in the following paragraphs.

U.S. Department of the Interior (DOI) - CBP has continued to coordinate with U.S. Bureau of Land Management (BLM), since the road, pads and fence are planned for construction within BLM property.

U.S. Fish and Wildlife Service (USFWS) - CBP has coordinated with USFWS to identify listed species that have the potential to occur in the project area and has cooperated with the USFWS to conduct a survey for the Quino checkerspot butterfly (*Euphydryas editha quino*), the only Federal listed species that may occur in the area. A copy of the survey report is contained in Appendix B.

U.S. Section, International Boundary and Water Commission (USIBWC) - CBP has coordinated with USIBWC to ensure that any construction along the international border does not adversely affect International Boundary Monuments or substantially impede floodwater conveyance within international drainages.

U.S. Army Corps of Engineers (USACE), Los Angeles District - CBP has coordinated all activities with USACE to identify potential jurisdictional Waters of the U.S., including wetlands, and to develop measures to avoid, minimize or compensate for losses to these resources.

## 1.5 MITIGATION MEASURES AND BMPS

The following measures will be implemented as BMPs to mitigate for possible impacts:

- Dust suppression methods, such as watering of roads and staging areas, will be employed during construction to minimize airborne particulate matter.
- Construction equipment will be maintained in good operating condition to minimize exhaust emissions and fluid leaks.
- Any fuel or other oils or solvents will be stored in containers within a secondary containment system to prevent leakage or spills in accordance with the Spill Prevention, Control and Countermeasures Plan (SPCCP) developed by the contractor for the Project.
- Best management practices will be employed during construction to minimize erosion and soil loss in accordance with the Storm Water Pollution Prevention Plan (SWPPP) developed by the contractor for the project. The SWPPP will be required to address applicable state regulations regarding erosion controls and dust management.
- The project corridor will be flagged to prevent construction equipment operations on adjacent undisturbed natural ground.
- In the event that new cultural resources are discovered during construction, all work will stop in the affected area until the cultural resources can be evaluated by a qualified archaeologist, and a suitable mitigation plan is developed.

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**SECTION 2.0**  
**DESCRIPTION OF THE PROJECT**





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## 2.0 DESCRIPTION OF THE PROJECT

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The project consists of new road construction for approximately 0.67 miles along the eastern slope to the top of Airport Mesa, 2.3 miles east of Jacumba, California (Figure 2-1). Airport Mesa rises approximately 320 feet above the surrounding area (Photograph 2-1), and the top of the mesa extends across the border into Mexico.



Photograph 2-1. South view of road alignment for the Project

This roadwork is planned so that USBP agents can access the top of the mesa to reach observation/parking pads that will be constructed within the Roosevelt Reservation adjacent to the border. The finished access road surface will be approximately 24-foot wide with a 2- to 5-foot ditch/safety berm on either side of the road. Cut and fill activities will be required for the road activities; consequently, the permanent impact area will be approximately 50-foot wide and will total 4.12 acres (Figure 2-3). An all-weather road surface stabilizer, such as *PennzSuppress*, *Road Oyl* or other similar material, will be applied to the final road surface.

Due to the slope on Airport Mesa, nuisance drainage culverts (*i.e.*, one 12 to 14-inch diameter pipe) at two locations will be installed under the road and will remain within the road's footprint. These culverts will be installed to drain the road surface and to handle small concentrations of storm water. The roadside ditches and the culverts will be cleaned as required to maintain necessary storm water flow.

The two observation/parking pads will be located at the end of the Airport Mesa Road adjacent to the border, and will consist of 20-foot by 20-foot permanent clearings, the minimal area required to turn a USBP vehicle around, with an additional 20-foot by 20-

foot temporary impact zone required during construction. Each site will be mechanically and hand cleared of rock, vegetation, and debris to make room for a vehicle. The total area permanently impacted by each site will be 400 square feet (ft<sup>2</sup>). These pads will be located within the 60-foot Roosevelt Reservation (Figure 2-3) at opposite ends of a 450-foot long, 60-foot wide road used for construction and maintenance of the fence.

A 450-foot long primary pedestrian fence will be installed along the border within the Roosevelt Reservation at the top of the mesa to prevent IAs from crossing over illegally from Mexico (Figure 2-3). The fence will be a bollard-style fence similar to that shown in Photograph 2-2. The fence will be inspected at least weekly and maintained by CBP.



**Photograph 2-2: Typical bollard-style fence**

The fence will meet the following performance measures:

- extend 15 to 18 feet above ground and have sufficient foundation below ground;
- be capable of withstanding an impact from a 10,000-pound gross weight vehicle traveling at 40 miles per hour (mph);
- be resistant to vandalism, cutting, or penetrating;
- be semi-transparent, as dictated by operational need;
- be designed to survive extreme climate changes of a desert environment;
- not impede the natural flow of water.

Existing access roads will be utilized to reach the construction site from Highway 80 to the north, as shown in Figure 2-2. Excess excavated material that cannot be used on-site will be placed in a nearby staging area on private land for later use in CBP projects or for permanent disposal elsewhere. A 7-acre staging area has been identified as shown in Figure 2-4. It is located in a previously disturbed area east of Airport Mesa.



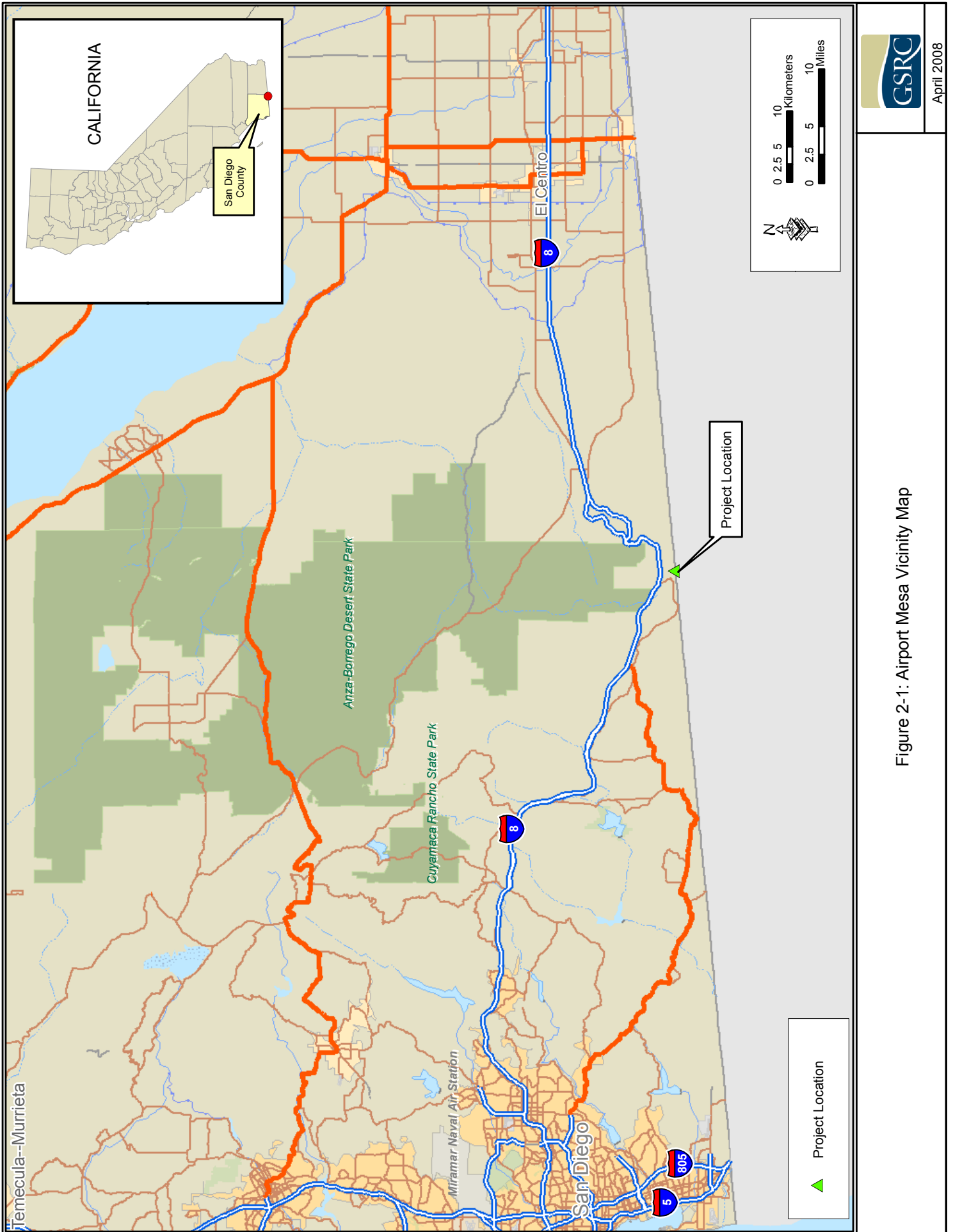
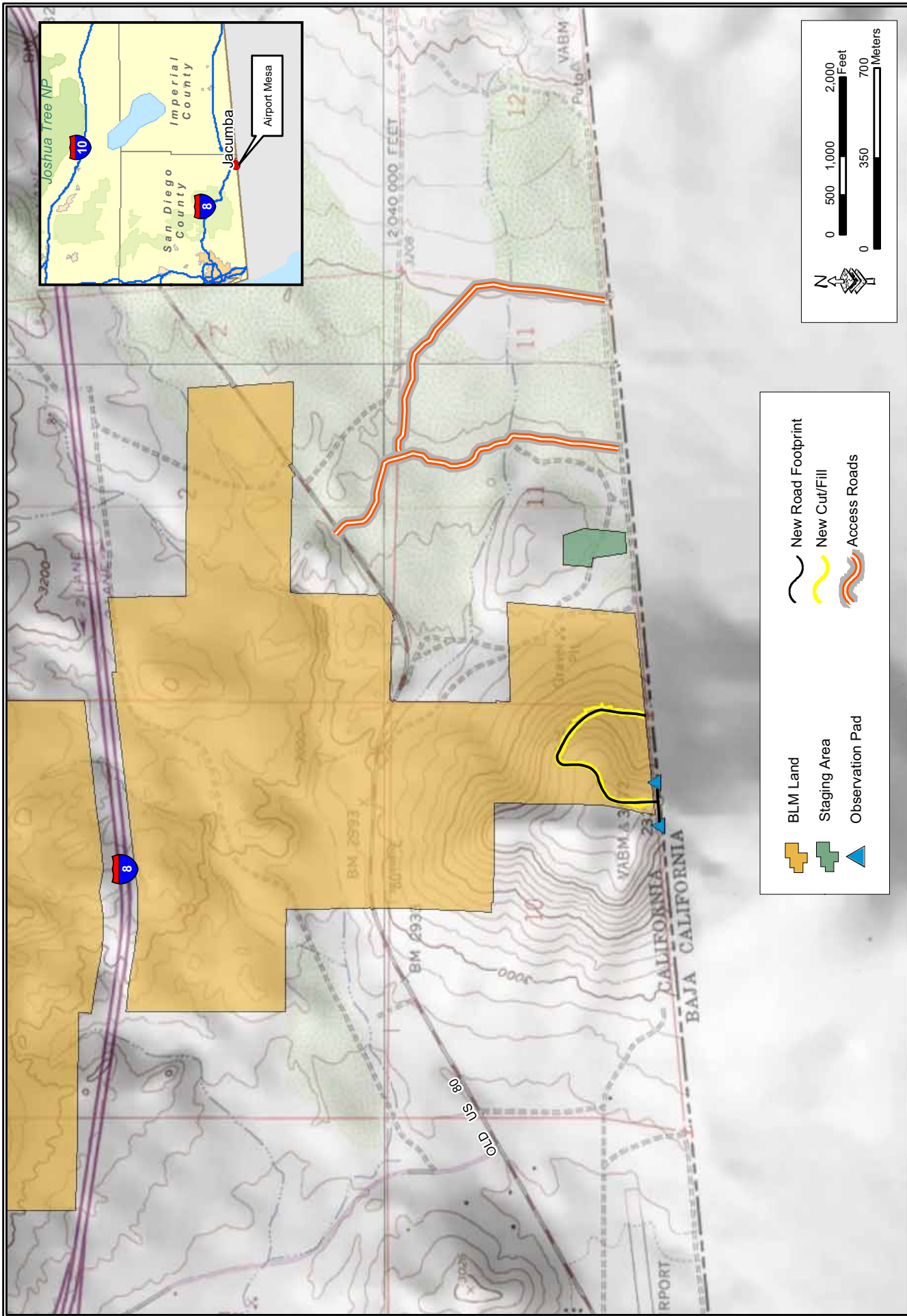


Figure 2-1: Airport Mesa Vicinity Map



April 2008

Figure 2-2: Airport Mesa Project Area

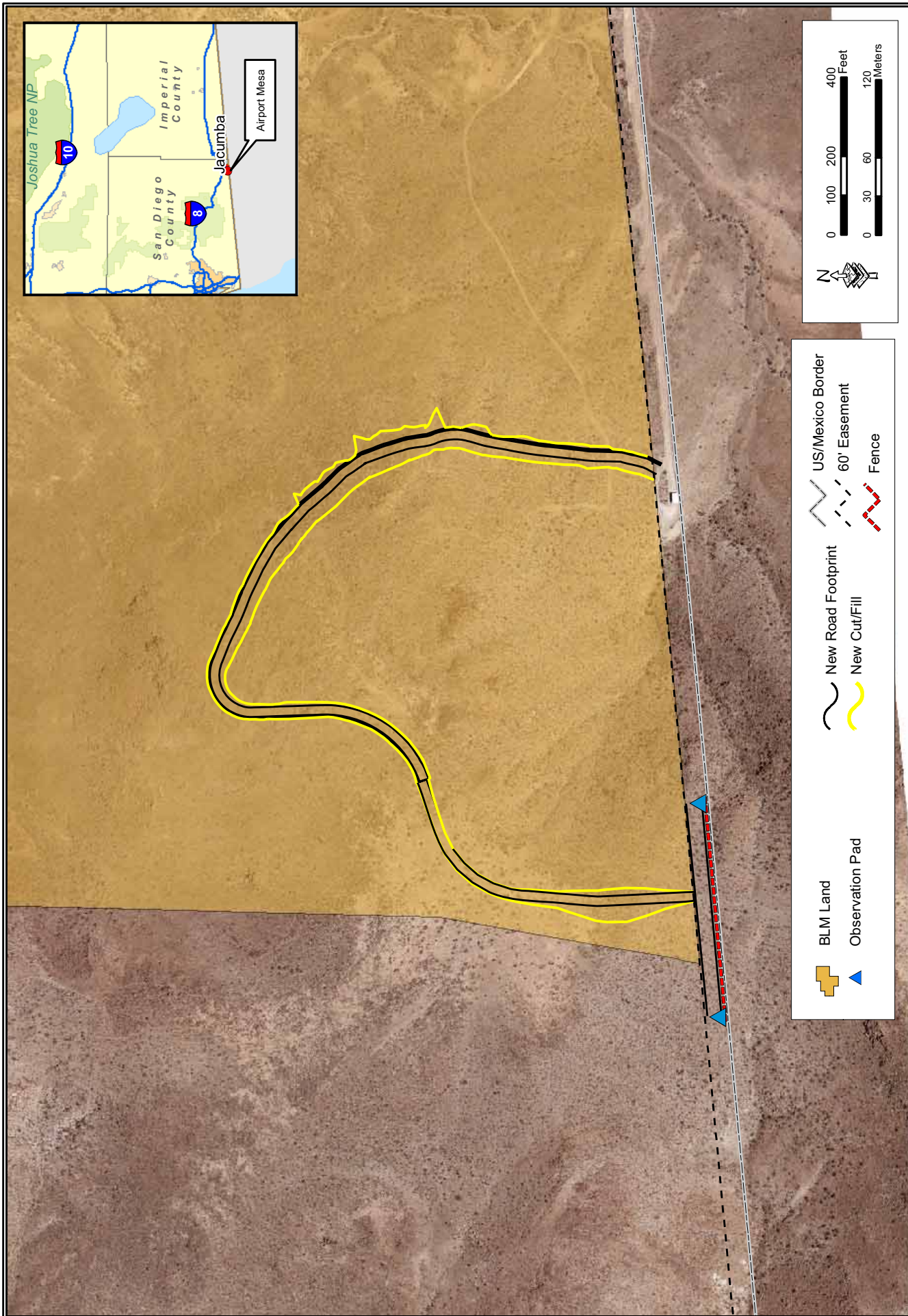


Figure 2-3: Airport Mesa Project Area

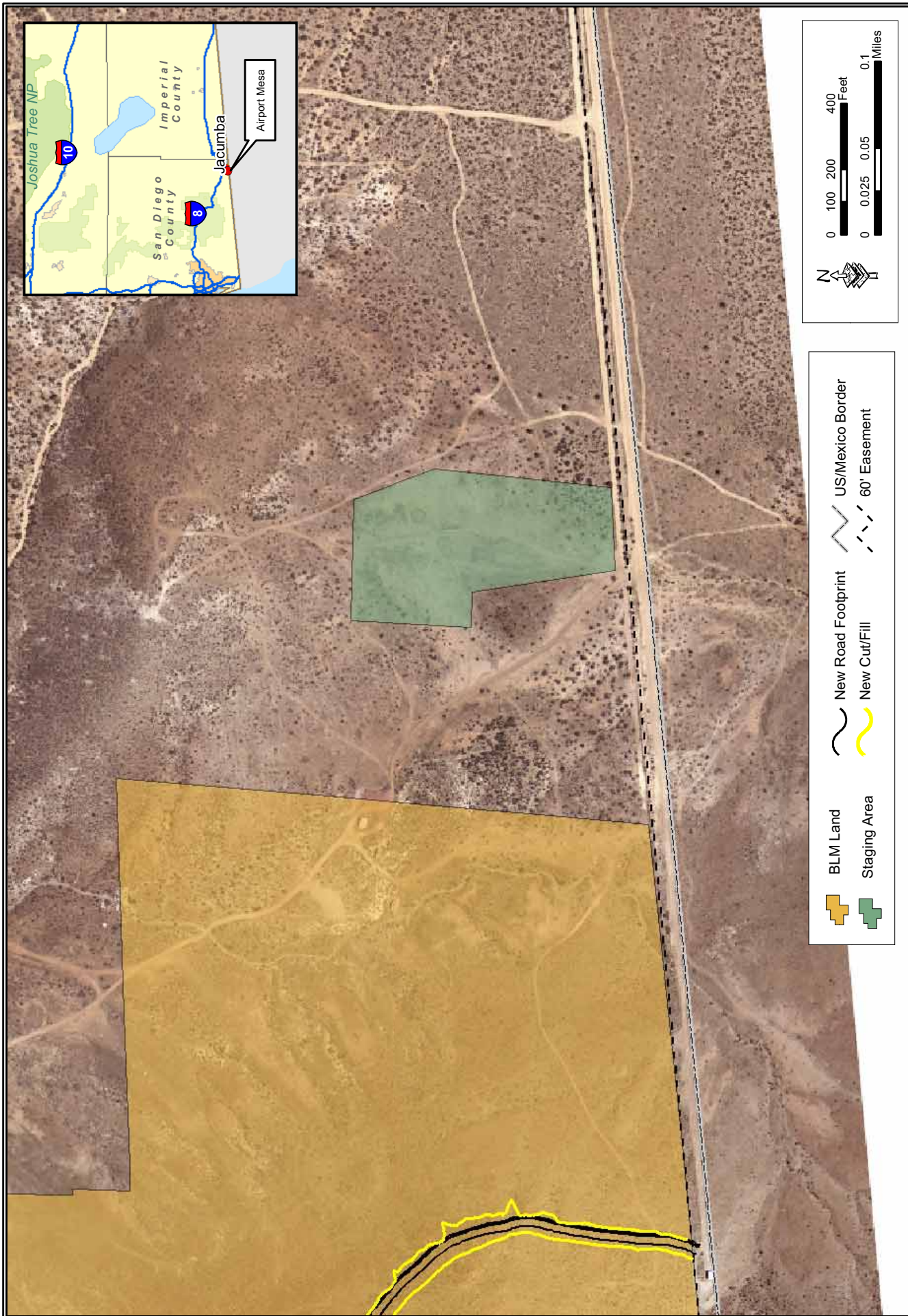


Figure 2-4: Airport Mesa Staging Area

CBP will be responsible for maintenance of the fence and road. There will be no change in overall USBP Sector operations. The fence will be made from non-reflective steel, and no painting will be required. Fence maintenance will include removing any accumulated debris on the fence after a rain event to avoid potential future flooding. Sand that builds up against the fence and brush will also be removed as needed. Brush removal could include mowing, removal of small trees and application of herbicide if needed. Any destruction or breaches of the fence will be repaired, as needed. Top shots of stabilizer will be added annually or as needed to maintain the road in useable condition.

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***SECTION 3.0***  
***AIR QUALITY***







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## **3.0 AIR QUALITY**

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### **3.1 AFFECTED ENVIRONMENT**

San Diego County is currently classified as a moderate non-attainment area for carbon monoxide (CO) and the 8-hour ozone (O<sub>3</sub>) National Ambient Air Quality Standards (NAAQS) (EPA 2006). Air emissions from internal combustion engines produce volatile organic compounds (VOCs), sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>) which are precursor molecules that react with oxygen in the atmosphere to create O<sub>3</sub>. CO in San Diego County is a combustion by-product produced by cars, trucks, and industrial operations utilizing petroleum for energy needs.

### **3.2 ENVIRONMENTAL EFFECTS**

Although the Secretary's waiver means that CBP no longer has any specific legal obligations under the Clean Air Act (CAA) for the TI segments addressed in this ESP, the Secretary committed the Department to responsible environmental stewardship of our valuable natural and cultural resources. CBP supports this objective and has applied the appropriate standards and guidelines associated with the CAA as the basis for evaluating potential environmental impacts and appropriate mitigations.

Temporary and minor increases in air pollution will occur from the use of construction equipment and disturbing soils while constructing and resurfacing the roads and installing culverts. Fugitive dust or particulate matter (PM-10) from soil disturbances, and pollution from combustible emissions from construction equipment engines are expected to create temporary and very localized increases in air pollution in the area during the construction months of the project. Due to the short duration of the construction project, any increases or impacts on ambient air quality are expected to be short-term and below *de minimis* thresholds.

Calculations were performed to estimate the total air emissions from the new construction activities. To calculate emissions from construction equipment, such as bulldozers, cranes, etc., GSRC uses emission factors generated by the Environmental Protection Agency (EPA) produced NONROAD2005 model. The NONROAD model is discussed in Section 4.7.3, page 4-252 of the *Procedures Document for National Emissions Inventory, Criteria Air Pollutants 1985-1999* (EPA 2001). To calculate emissions from delivery trucks and commuters traveling to the job site, GSRC uses emission factors generated by EPA produced MOBILE6.2. The MOBILE model is discussed in Section 4.6.4, page 4-199.

Fugitive dust calculations were made for disturbing the soils while grading, driving, and building the fence, installing lights, rebuilding bridges and resurfacing the patrol road. Large amounts of dust can arise from the mechanical disturbance of surface soils. Dust generated from these open sources is termed "fugitive" because it is not discharged to the atmosphere in a confined flow stream. To calculate fugitive dust emission loads

produced at construction sites, GSRC uses the emission factor 0.11ton/acre/month, which is discussed in Section 4.8.1.7, page 4-286 (EPA 2001).

Assumptions were made regarding the type of equipment, duration of the total number of days each piece of equipment would be used, and the number of hours per day each type of equipment would be used. The assumptions, emission factors, and resulting calculations are presented in Appendix C. A summary of the total emissions are presented in Table 3-1. As can be seen from this table, the planned construction activities do not exceed *de minimis* thresholds.

**Table 3-1. Total Air Emissions (tons/year) from Construction Activities vs. the *de minimis* Levels**

<b>Pollutant</b>	<b>Total (tons/year)</b>	<b><i>de minimis</i> Thresholds (tons/year)</b>
CO	3.98	100
VOCs	0.84	100
NOx	8.14	100
PM-10	4.62	NA
PM-2.5	1.39	NA
Sulfur Dioxide (SO <sub>2</sub> )	1.02	100

Source: 40 CFR 51.853 and GSRC

Impacts from combustible air emissions from USBP traffic and commuting traffic are expected to be the same before and after the new road construction. Construction workers will temporarily increase the combustible emissions in the air shed during their commute to and from work. Their emissions were calculated in the air emission analysis (Appendix C) and those emissions are included in the totals in Table 3-1.

During construction of the project, proper and routine maintenance of all vehicles and other construction equipment will be implemented to ensure that emissions are within the design standards of all construction equipment. Dust suppression methods will be implemented to minimize fugitive dust.

**SECTION 4.0**  
**LAND USE AND AESTHETICS**





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## **4.0 LAND USE AND AESTHETICS**

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### **4.1 AFFECTED ENVIRONMENT**

#### **4.1.1 Land Use**

The land use in the vicinity of the Airport Mesa project site is characterized as undeveloped range land used for grazing. The town of Jacumba, California is the nearest developed urban area, located on the west side of the mesa approximately 2.3 miles from the project area.

#### **4.1.2 Aesthetics**

The eastern slope of Airport Mesa does not vary significantly from the western slope, and can be described as rural, undeveloped desert topography. There are no unique features in the project area different from other visual landscapes in the general area.

### **4.2 ENVIRONMENTAL EFFECTS**

#### **4.2.1 Land Use**

Land use in the region of the Project will not be substantially changed from its current classification and use. A road and two observation/parking pads will be constructed, but the classification of the overall area as open range will not change. The construction of the fence will also help to prevent illegal grazing by Mexican cattle on top of the mesa. Surface impacts on the staging area will be minor and temporary.

#### **4.2.2 Aesthetics**

Impacts on aesthetics as a result of the Project will be minimal. Because of the location of the road on the east side of Airport Mesa, which is out of view of the developed area of Jacumba, visual aesthetic impacts of the road and USBP vehicles will not be apparent to the casual observer on local roads in the vicinity. In addition, the elevation of Airport Mesa will preclude any views of the fence from the nearest public highway (Old Highway 80), which is located approximately 0.7 mile to the north.

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***SECTION 5.0***  
***PHYSIOGRAPHY, GEOLOGY AND SOILS***

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## **5.0 PHYSIOGRAPHY, GEOLOGY AND SOILS**

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### **5.1 AFFECTED ENVIRONMENT**

The physiography of the project site consists of steeply sloping hillsides with a highly erodible rocky surface. The top of Airport Mesa rises approximately 320 feet above the base of the mesa at the start point of the project, and the slope to the east continues past that point. The average slope of the topography in the project area is 65 percent.

The geology of the project area at Airport Mesa consists of weathered granitic igneous rocks and the soils and talus developed from that weathering. Numerous larger boulders and rocks of the original granite are still present, protruding from the talus. There are no unique or valuable geologic resources located in the area of the project footprint.

The soil in the Airport Mesa project area is Stony Land with abundant rocks and boulders and little vegetation. No prime farmland soils are present in the project area (INS 2003).

### **5.2 ENVIRONMENTAL EFFECTS**

The physiography of the project location will remain the same after completion of the Project. The constructed road will follow the approximate contours of the present topography, and roadside berms and ditches will collect and channel rain water to prevent the washout of the road and development of erosion gullies on the hillsides.

There are no unique or sensitive geologic resources in the project area; therefore, there will be no substantial impacts on geologic resources.

The soil on the project site is not considered prime or valuable farmland, and the soil type is abundant in adjacent areas. BMPs to control soil erosion will be implemented according to the SWPPP, so there will be minimal impacts on soils by the Project.

Soil materials excavated from the project site and not used during construction will be stored temporarily at the staging area for use in other CBP and USBP projects; any excess material not used for other project needs will be disposed of properly.

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***SECTION 6.0***  
***WATER USE AND QUALITY***

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## **6.0 WATER USE AND QUALITY**

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### **6.1 AFFECTED ENVIRONMENT**

There are no Waters of the U.S. (WUS) in the project corridor, and the elevation of the Airport Mesa above the adjacent valley floor precludes the presence of any subsurface groundwater resources on the top or the slopes of the mesa.

Groundwater resources available for potable consumption in the Jacumba area are estimated to be approximately 94,000 acre-feet (ac-ft) in two primary aquifers (1 ac-ft equals 326,000 gallons). Annual water use in the area was estimated to be 810 ac-ft per year in 2004, with an aquifer recharge rate of approximately 3,600 ac-ft per year from rainfall and local stream runoff (California's Groundwater 2004).

### **6.2 ENVIRONMENTAL EFFECTS**

There are no surface or subsurface water resources present in the project area; therefore, there will be no impacts on these resources. The amount of water to be used for construction and to control fugitive dust will be minimal when compared to the amount of water available from the local water supplies to be used. BMPs implemented to control soil erosion during construction will prevent any possible transport of eroded soils to any surface water resources or ephemeral stream drainages.

Water required for construction purposes is estimated to be approximately 100,000 gallons, based on projected use for dust suppression and road bed stabilization. The road construction methods will entail building the road in a hillside cut, instead of building up the road on a flat surface. Therefore, less dust suppression and road compaction will be necessary. For a road that is only 0.67 mile in length, water will be needed only once for compaction of the final road cut, and then again only for the installation of the road surface stabilizing agent. Construction water will be obtained from the local Jacumba municipal water source and trucked to the project site. Annual water use in the Jacumba area is estimated to be in excess of 260 million gallons per year with recharge in excess of annual usage, so a one-time use of 100,000 gallons for the Project is considered minimal by comparison.

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**SECTION 7.0**  
**BIOLOGICAL RESOURCES**







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## 7.0 BIOLOGICAL RESOURCES

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### 7.1 AFFECTED ENVIRONMENT

#### 7.1.1 Vegetation

Native vegetation on the slopes and top of Airport Mesa consists of a sparse desert scrub flora, including creosotebush (*Larrea tridentata*), staghorn cholla (*Opuntia echinocarpa*), beavertail cactus (*Opuntia basilaris.*), yucca (*Yucca* sp.), jojoba (*Simmondsia chinensis*), Mormon tea (*Ephedra* sp.), one-seed juniper (*Juniperus monosperma*), Acton's encelia (*Encelia virginensis*), sand mat (*Chamaesyce polycarpa*), wishbone plant (*Mirabilis laevis*) and California buckwheat (*Eriogonum fasciculatum*). Vegetation density on the top of the mesa is more sparse than on the slopes due to grazing by cattle that illegally cross over from Mexico. There are only sparse scattered patches of creosotebush in the staging area due to previous vehicle traffic, cattle grazing, and other human impacts.

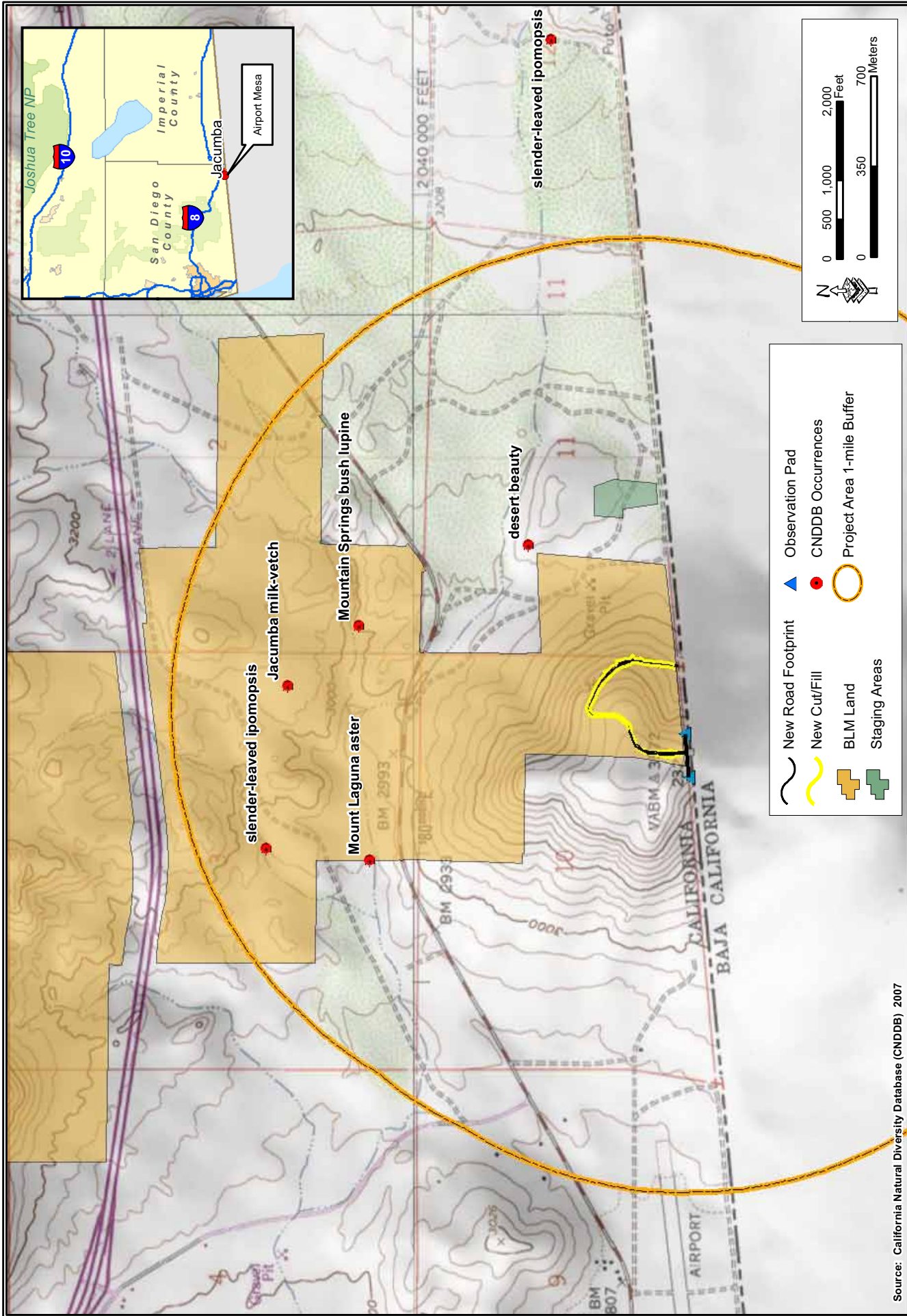
#### 7.1.2 Wildlife

Very few wildlife species were observed during site visits to the project area. Animals observed during a site visit on February 8, 2007 included: desert cottontail (*Sylvilagus audubonii*), house finch (*Carpodacus mexicanus*), raven (*Corvus* sp.), red-tailed hawk (*Buteo jamaicensis*), and golden eagle (*Aquila chrysaetos*). In addition, deer and rodent scat were observed. During the Quino checkerspot butterfly survey conducted March-May 2007, numerous other wildlife species (including insects) were observed and described in detail, and the list of species observed can be found in Appendix 3 of the survey report in Appendix B.

#### 7.1.3 Threatened and Endangered Species

A listing of threatened and endangered species occurring in San Diego County and correspondence from the U.S. Fish and Wildlife Service dated April 27, 2007 confirmed that the Quino checkerspot butterfly is the only Federally listed species known to occur in the vicinity of the project area. There are no Federal or state listed species of concern within the project footprint area.

The California Natural Diversity Database (CNDDDB) maintains the status and location of all rare species in California. While there are no protected species within the project area, Figure 7-1 shows all CNDDDB occurrences nearby. The slender-leaved ipomopsis (*Ipomopsis tenuifolia*), Jacumba milk-vetch (*Astragalus douglasii* var. *perstrictus*), Mount Laguna aster (*Dieteria asteroides* var. *lagunensis*), Mountain Springs bush lupine (*Lupinus excubitus* var. *medius*), and the desert beauty (*Linanthus bellus*) are all state species of concern that have been reported within 1 mile of the project area. No species listed in the CNDDDB were found during surveys of the project area.



Source: California Natural Diversity Database (CNDDB) 2007



April 2008

Figure 7-1: CNDDB Occurrences within 1-mile of the Project Area

Within the project area, the Federally endangered Quino checkerspot butterfly may occur, and the project area contains marginal suitable habitat for the Quino checkerspot butterfly. A survey for the Quino checkerspot butterfly was conducted during the flight season from March 26 to May 5, 2007. A copy of the survey report is included in Appendix B. No Quino checkerspot butterflies or suitable host plants were observed within or near the project footprint during field surveys conducted in 2007.

## **7.2 ENVIRONMENTAL EFFECTS**

### **7.2.1 Vegetation**

Because the footprint of the Project is only 4.12 acres, and native vegetation is relatively sparse in the project area, impacts on native vegetation as a result of the Project will not be substantial. Vegetation on the 7-acre staging area is minimal, consisting of sparse patches of creosotebush.

### **7.2.2 Wildlife**

Impacts on wildlife and habitat as a result of the Project will be minimal, since quality habitat is not present and a relatively small area (4.12 acres) will be impacted. All mobile species displaced or disturbed by the construction are expected to return to the project area following completion of the road, observation/parking pads and fence. Although the fence will impede migration of large mammals through this specific corridor, the ends of the 450-foot long fence will be open, allowing passage of wildlife. In addition, the top of the mesa on both sides of the border has been disturbed by past illegal traffic and cattle grazing and supports little habitat for large mammals. The bollard-style fence will allow for transboundary migration of small animals through the fence. Thus, fragmentation of habitat will be negligible.

### **7.2.3 Threatened and Endangered Species**

Although the Secretary's waiver means that CBP no longer has any specific legal obligations under the Endangered Species Act (ESA) for the TI segments addressed in this ESP, the Secretary committed the Department to responsible environmental stewardship of our valuable natural and cultural resources. CBP supports this objective and has applied the appropriate standards and guidelines associated with the ESA as the basis for evaluating potential environmental impacts and appropriate mitigations.

Although marginally suitable habitat is present at Airport Mesa, no Quino checkerspot butterflies have been reported in the project area, including during protocol surveys conducted in 2007. Therefore, CBP has determined that the Project will not affect the Quino Checkerspot butterfly. Since suitable habitat is not present for other Federally protected species, and no state-listed species are present, no effect on those species will occur.

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***SECTION 8.0***  
***CULTURAL RESOURCES***





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## **8.0 CULTURAL RESOURCES**

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### **8.1 AFFECTED ENVIRONMENT**

No cultural resources are present within or near the project footprint, according to field surveys conducted February 8, 2007 for the road project area, and on March 11 and 14, 2008 for the staging area. The staging area contains scattered, unassociated lithic artifacts, but no sites eligible for listing in the National Register of Historic Places. The only cultural resource located nearby is the U.S./Mexico Boundary Monument #232, and no disturbance of that marker is anticipated during construction of the Project.

### **8.2 ENVIRONMENTAL EFFECTS**

No cultural resources are present within the project footprint. If any subsurface cultural materials are discovered during the construction of the Project, construction will stop until a qualified archaeologist can assess the significance of the findings and determine if a mitigation plan should be developed and implemented.

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**SECTION 9.0**  
**SOCIOECONOMICS**





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## **9.0 SOCIOECONOMICS**

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### **9.1 AFFECTED ENVIRONMENT**

#### **9.1.1 Socioeconomics**

The region of influence (ROI) for the project is San Diego County. The socioeconomic conditions within the ROI were discussed in detail in the 2003 EA (INS 2003), and that discussion is incorporated herein by reference. While some minor changes in socioeconomic statistics have occurred in San Diego County since the 2003 EA, due to the remote and undeveloped nature of the project area, further discussion of general socioeconomic conditions in the project area is not warranted for this ESP.

#### **9.1.2 Human Health and Safety**

There are no human dwellings or other structures in the vicinity of the project area, and no improved transportation corridors are located adjacent to the project site. The project area currently requires no services from county or city safety or law enforcement personnel due to its rural and inaccessible location.

### **9.2 ENVIRONMENTAL EFFECTS**

#### **9.2.1 Socioeconomics**

The Project will not affect any socioeconomic elements in San Diego County due to the small size of the project, the remote location, away from any populated areas, and the lack of substantial impacts on any resource analyzed for this ESP.

#### **9.2.2 Human Health and Safety**

Impacts on human health and safety will be limited to those normally encountered during construction activities. An approved Health and Safety Plan will be developed prior to initiating construction activities.

Long-term beneficial effects will result for USBP employees operating in the Boulevard Station AO due to the accessibility and ease of surveillance in the border area, and the resulting facilitation of capture and deterrence of IAs and drug smugglers.

Medical services, fire protection and police service will not be changed from the current standards for the area. The Project will not create any additional burden on any health and safety services.

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***SECTION 10.0***  
***HAZARDOUS MATERIALS***

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## **10.0 HAZARDOUS MATERIALS**

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### **10.1 AFFECTED ENVIRONMENT**

As determined by a reconnaissance survey of the project corridor, there are no industrial or other commercial facilities near the project corridor that contain hazardous materials or hazardous waste. Construction equipment used to implement the Project will contain fuel and petroleum fluids and lubricants that would be considered hazardous if released into the environment.

### **10.2 ENVIRONMENTAL EFFECTS**

Implementation of the Project will involve the use of various types of heavy construction equipment. BMPs will be implemented as part of the construction contracts to minimize the possibility that lubricating fluids or fuel will be discharged into the environment from this equipment. The BMPs are described in detail in Section 1.5 of this ESP. In addition, a SPCCP will be developed and implemented by the project contractor prior to the start of construction on the project.

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**SECTION 11.0**  
***RELATED PROJECTS AND POTENTIAL EFFECTS***





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## 11.0 RELATED PROJECTS AND POTENTIAL EFFECTS

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Effects from the implementation of the Planned Action will not significantly contribute to the combined effects of other CBP and USBP activities in the area, as discussed previously in the 2003 EA (INS 2003) and incorporated herein by reference. Since the 2003 EA was completed, CBP and USBP have identified the following projects and impacts within the San Diego County ROI:

- Approximately seven road and TI projects which include construction, repair, maintenance, and upgrade of existing roads and infrastructure within the Brown Field Station area of operation (AO).
- Ongoing maintenance of approximately 104 miles of patrol roads throughout the Brown Field, El Cajon, and Campo Stations' AOs. The roads adjacent to or nearest the project area are the Marron Valley Road (6.6 miles) and Barrett Truck Trail (9.6 miles).
- USBP is currently constructing a new Campo Border Patrol Station near Kitchen Creek in east San Diego County. The station footprint affected approximately 25 acres, including horse pasture and paddocks, helipad, and buffer zone.
- CBP/USBP is currently constructing a border infrastructure system along the U.S./Mexico border within San Diego County. The infrastructure system project spans 14 miles and includes: secondary and tertiary fences, patrol and maintenance roads, lights, and integrated surveillance and intelligence system resources. Approximately 9 miles of the 14-mile project have been completed or are currently under construction. When completed, the infrastructure system would impact approximately 297 acres, consisting of disturbed/developed lands, coastal sage scrub, maritime succulent scrub, and grasslands.
- CBP/USBP is currently considering development of the Pack Trail to a patrol road and primary pedestrian fence. This project would connect the southern end of the Puebla Tree Trail to the Monument 250 Road, a total distance of about 3.28 miles. Primary pedestrian fence would be installed along the border as part of this project. Due to the terrain, extensive cut and fill activities would be required; this would adversely impact and encroach onto the Otay Mountain Wilderness Area.
- CBP/USBP is currently considering construction and maintenance of approximately 7 miles of new roads, 10 miles of primary pedestrian fence, and 10 miles of road improvements along the U.S./Mexico international border in eastern San Diego County, California.

CBP/USBP might find it necessary to implement other activities and operations that are currently not foreseen or mentioned in this document. These actions could be in

response to national emergencies or security events like the terrorist attacks on September 11, 2001, or to changes in the mode of operations of cross-border violators.

Since no substantial impacts were identified for any resources analyzed as a result of the Project in this ESP, the Project will not result in substantial direct or indirect combined impacts when considered with other CBP/USBP and other agency actions in the ROI. The Project will reduce the direct impacts and combined impacts due to continued IA migration across the U.S./Mexico border in the region addressed in the 2003 EA.

A summary of the anticipated combined impacts of the Project is presented in the following sections. Discussions are presented for each of the resources described previously.

### **11.1 AIR QUALITY**

The emissions generated during and after the construction of the primary pedestrian fence and road will be short-term and minor. BMPs designed to reduce fugitive dust have been and will continue to be standard operation procedure for CBP/USBP construction projects. Therefore, no combined impacts are anticipated due to implementation of the Project.

### **11.2 LAND USE AND AESTHETICS**

Since there will be no change in land use as a result of the Project, there will be no combined impacts on land use. No impacts on visual resources will occur from implementing the Project, due to the remote location and the lack of public access or views of the project area; therefore, there will be no combined impacts on aesthetics.

### **11.3 PHYSIOGRAPHY, GEOLOGY AND SOILS**

The physiography of the project area will not change, the geology of the area will not be affected, and the soils are common and not considered agricultural soils; so there will be no combined impacts on these resources.

### **11.4 WATER USE AND QUALITY**

No groundwater or surface water resources are present in the project area, so none will be affected. Local water volumes used during construction and maintenance will be minimal when compared with available local water supplies; therefore, there will be no combined impacts on these resources.

### **11.5 BIOLOGICAL RESOURCES**

Impacts of the Project on vegetation and wildlife in the area will be minimal due to the sparse presence of these resources and the small footprint of the Project. There are no

Federal or state species of concern in the project area, and none will be affected. Therefore, there will be no substantial combined impacts on biological resources.

## **11.6 CULTURAL RESOURCES**

There are no cultural resources present in the project area that will be affected, and any cultural resources discovered during construction would be protected; therefore, there will be no combined impacts on cultural resources.

## **11.7 SOCIOECONOMICS**

There will be no impacts on socioeconomic resources due to construction of the Project; therefore, there will be no combined impacts on socioeconomic resources.

## **11.8 HAZARDOUS MATERIALS**

Only minor increases in the use of hazardous substances will occur as a result of the construction and maintenance of the fence and road. No health or safety risks will be created by the Project. These effects, when combined with other on-going and proposed projects in the region, are not considered a substantial effect.

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***SECTION 12.0***  
***REFERENCES***







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## 12.0 REFERENCES

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California's Groundwater. 2004. Bulletin 118, February 27, 2004, Hydrologic Region Colorado River, Jacumba Valley Groundwater Basin.

Department of Homeland Security (DHS). 2003 Supplemental Environmental Assessment for Various Infrastructure and Road Improvements from Canyon City, California to the Imperial County Line, San Diego County, California.

Environmental Protection Agency (EPA) 2001. Procedures Document for National Emission Inventory, Criteria Air Pollutants 1985-1999. EPA-454/R-01-006. Office of Air Quality Planning and Standards Research Triangle Park NC 27711.

EPA 2006. Welcome to the Green Book Nonattainment Areas for Criteria Pollutants, [www.epa.gov/oar/oaqps/greenbk](http://www.epa.gov/oar/oaqps/greenbk)

Immigration and Naturalization Service (INS). 2003. Environmental Assessment for Various Road Improvements from Canyon City, California to the Imperial County Line, San Diego County, California.

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*APPENDIX A*  
*Copy of Border Waiver*





**FOR FURTHER INFORMATION CONTACT:** Ken Hunt, Executive Director, 245 Murray Lane, Mail Stop 0550, Washington, DC 20528, 703-235-0780 and 703-235-0442, [privacycommittee@dhs.gov](mailto:privacycommittee@dhs.gov).

**Purpose and Objective:** Under the authority of 6 U.S.C. section 451, this charter establishes the Data Privacy and Integrity Advisory Committee, which shall operate in accordance with the provisions of the Federal Advisory Committee Act (FACA) (5 U.S.C. App).

The Committee will provide advice at the request of the Secretary of DHS and the Chief Privacy Officer of DHS on programmatic, policy, operational, administrative, and technological issues within the DHS that relate to personally identifiable information (PII), as well as data integrity and other privacy-related matters.

**Duration:** The committee's charter is effective March 25, 2008, and expires March 25, 2010.

**Responsible DHS Officials:** Hugo Teufel III, Chief Privacy Officer and Ken Hunt, Executive Director, 245 Murray Drive, Mail Stop 0550, Washington, DC 20528, [privacycommittee@dhs.gov](mailto:privacycommittee@dhs.gov), 703-235-0780.

Dated: April 1, 2008.

**Hugo Teufel III,**

*Chief Privacy Officer.*

[FR Doc. E8-7277 Filed 4-7-08; 8:45 am]

**BILLING CODE 4410-10-P**

## DEPARTMENT OF HOMELAND SECURITY

### Office of the Secretary

#### Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as Amended

**AGENCY:** Office of the Secretary, Department of Homeland Security.

**ACTION:** Notice of determination; correction.

**SUMMARY:** The Secretary of Homeland Security has determined, pursuant to law, that it is necessary to waive certain laws, regulations and other legal requirements in order to ensure the expeditious construction of barriers and roads in the vicinity of the international land border of the United States. The notice of determination was published in the **Federal Register** on April 3, 2008. Due to a publication error, the Project Area description was inadvertently omitted from the April 3 publication. For clarification purposes, this document is a republication of the April 3 document including the omitted Project Area description.

**DATES:** This Notice is effective on April 8, 2008.

#### Determination and Waiver

The Department of Homeland Security has a mandate to achieve and maintain operational control of the borders of the United States. Public Law 109-367, 2, 120 Stat. 2638, 8 U.S.C. 1701 note. Congress has provided the Secretary of Homeland Security with a number of authorities necessary to accomplish this mandate. One of these authorities is found at section 102(c) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 ("IIRIRA"). Public Law 104-208, Div. C, 110 Stat. 3009-546, 3009-554 (Sept. 30, 1996) (8 U.S.C 1103 note), as amended by the REAL ID Act of 2005, Public Law 109-13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005) (8 U.S.C. 1103 note), as amended by the Secure Fence Act of 2006, Public Law 109-367, 3, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1103 note), as amended by the Department of Homeland Security Appropriations Act, 2008, Public Law 110-161, Div. E, Title V, 564, 121 Stat. 2090 (Dec. 26, 2007). In Section 102(a) of the IIRIRA, Congress provided that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads (including the removal of obstacles to detection of illegal entrants) in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In Section 102(b) of the IIRIRA, Congress has called for the installation of fencing, barriers, roads, lighting, cameras, and sensors on not less than 700 miles of the southwest border, including priority miles of fencing that must be completed by December of 2008. Finally, in section 102(c) of the IIRIRA, Congress granted to me the authority to waive all legal requirements that I, in my sole discretion, determine necessary to ensure the expeditious construction of barriers and roads authorized by section 102 of the IIRIRA.

I determine that the following area of Hidalgo County, Texas, in the vicinity of the United States border, hereinafter the Project Area, is an area of high illegal entry:

- Starting approximately at the intersection of Military Road and an unnamed road (i.e. beginning at the western end of the International Boundary Waters Commission (IBWC) levee in Hidalgo County) and runs east in proximity to the IBWC levee for approximately 4.5 miles.
- Starting approximately at the intersection of Levee Road and 5494 Wing Road and runs east in proximity

to the IBWC levee for approximately 1.8 miles.

- Starting approximately 0.2 mile north from the intersection of S. Depot Road and 23rd Street and runs south in proximity to the IBWC levee to the Hidalgo POE and then east in proximity to the new proposed IBWC levee and the existing IBWC levee to approximately South 15th Street for a total length of approximately 4.0 miles.

- Starting adjacent to Levee Road and approximately 0.1 miles east of the intersection of Levee Road and Valley View Road and runs east in proximity to the IBWC levee for approximately 1.0 mile then crosses the Irrigation District Hidalgo County #1 Canal and will tie into the future New Donna POE fence.

- Starting approximately 0.1 mile east of the intersection of County Road 556 and County Road 1554 and runs east in proximity to the IBWC levee for approximately 3.4 miles.

- Starting approximately 0.1 mile east of the Bensten Groves road and runs east in proximity to the IBWC levee to the Progreso POE for approximately 3.4 miles.

- Starting approximately at the Progreso POE and runs east in proximity to the IBWC levee for approximately 2.5 miles.

In order to deter illegal crossings in the Project Area, there is presently a need to construct fixed and mobile barriers and roads in conjunction with improvements to an existing levee system in the vicinity of the border of the United States as a joint effort with Hidalgo County, Texas. In order to ensure the expeditious construction of the barriers and roads that Congress prescribed in the IIRIRA in the Project Area, which is an area of high illegal entry into the United States, I have determined that it is necessary that I exercise the authority that is vested in me by section 102(c) of the IIRIRA as amended. Accordingly, I hereby waive in their entirety, with respect to the construction of roads and fixed and mobile barriers (including, but not limited to, accessing the project area, creating and using staging areas, the conduct of earthwork, excavation, fill, and site preparation, and installation and upkeep of fences, roads, supporting elements, drainage, erosion controls, safety features, surveillance, communication, and detection equipment of all types, radar and radio towers, and lighting) in the Project Area, all federal, state, or other laws, regulations and legal requirements of, deriving from, or related to the subject of, the following laws, as amended: The National Environmental Policy Act (Pub. L. 91-190, 83 Stat. 852 (Jan. 1,

1970) (42 U.S.C. 4321 *et seq.*), the Endangered Species Act (Pub. L. 93–205, 87 Stat. 884) (Dec. 28, 1973) (16 U.S.C. 1531 *et seq.*), the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act) (33 U.S.C. 1251 *et seq.*), the National Historic Preservation Act (Pub. L. 89–665, 80 Stat. 915 (Oct. 15, 1966) (16 U.S.C. 470 *et seq.*), the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*), the Clean Air Act (42 U.S.C. 7401 *et seq.*), the Archeological Resources Protection Act (Pub. L. 96–95, 16 U.S.C. 470aa *et seq.*), the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*), the Noise Control Act (42 U.S.C. 4901 *et seq.*), the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*), the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 *et seq.*), the Archeological and Historic Preservation Act (Pub. L. 86–523, 16 U.S.C. 469 *et seq.*), the Antiquities Act (16 U.S.C. 431 *et seq.*), the Historic Sites, Buildings, and Antiquities Act (16 U.S.C. 461 *et seq.*), the Farmland Protection Policy Act (7 U.S.C. 4201 *et seq.*), the Coastal Zone Management Act (Pub. L. 92–583, 16 U.S.C. 1451 *et seq.*), the Federal Land Policy and Management Act (Pub. L. 94–579, 43 U.S.C. 1701 *et seq.*), the National Wildlife Refuge System Administration Act (Pub. L. 89–669, 16 U.S.C. 668dd–668ee), the Fish and Wildlife Act of 1956 (Pub. L. 84–1024, 16 U.S.C. 742a, *et seq.*), the Fish and Wildlife Coordination Act (Pub. L. 73–121, 16 U.S.C. 661 *et seq.*), the Administrative Procedure Act (5 U.S.C. 551 *et seq.*), the Rivers and Harbors Act of 1899 (33 U.S.C. 403), the Eagle Protection Act (16 U.S.C. 668 *et seq.*), the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 *et seq.*), the American Indian Religious Freedom Act (42 U.S.C. 1996), the Religious Freedom Restoration Act (42 U.S.C. 2000bb), and the Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6303–05).

I reserve the authority to make further waivers from time to time as I may determine to be necessary to accomplish the provisions of section 102 of the IIRIRA, as amended.

**Michael Chertoff,**

*Secretary.*

[FR Doc. E8–7450 Filed 4–7–08; 8:45 am]

**BILLING CODE 4410–10–P**

## DEPARTMENT OF HOMELAND SECURITY

### Office of the Secretary

#### Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as Amended

**AGENCY:** Office of the Secretary, Department of Homeland Security.

**ACTION:** Notice of determination; correction.

**SUMMARY:** The Secretary of Homeland Security has determined, pursuant to law, that it is necessary to waive certain laws, regulations and other legal requirements in order to ensure the expeditious construction of barriers and roads in the vicinity of the international land border of the United States. The notice of determination was published in the **Federal Register** on April 3, 2008. Due to a publication error, the description of the Project Areas was inadvertently omitted from the April 3 publication. For clarification purposes, this document is a republication of the April 3 document including the omitted description of the Project Areas.

**DATES:** This Notice is effective on April 8, 2008.

#### Determination and Waiver

I have a mandate to achieve and maintain operational control of the borders of the United States. Public Law 109–367, 2, 120 Stat. 2638, 8 U.S.C. 1701 note. Congress has provided me with a number of authorities necessary to accomplish this mandate. One of these authorities is found at section 102(c) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (“IIRIRA”). Public Law 104–208, Div. C, 110 Stat. 3009–546, 3009–554 (Sept. 30, 1996) (8 U.S.C. 1103 note), as amended by the REAL ID Act of 2005, Public Law 109–13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005) (8 U.S.C. 1103 note), as amended by the Secure Fence Act of 2006, Public Law 109–367, 3, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1103 note), as amended by the Department of Homeland Security Appropriations Act, 2008, Public Law 110–161, Div. E, Title V, 564, 121 Stat. 2090 (Dec. 26, 2007). In Section 102(a) of IIRIRA, Congress provided that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads (including the removal of obstacles to detection of illegal entrants) in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United

States. In Section 102(b) of IIRIRA, Congress has called for the installation of fencing, barriers, roads, lighting, cameras, and sensors on not less than 700 miles of the southwest border, including priority miles of fencing that must be completed by December 2008. Finally, in section 102(c) of the IIRIRA, Congress granted to me the authority to waive all legal requirements that I, in my sole discretion, determine necessary to ensure the expeditious construction of barriers and roads authorized by section 102 of IIRIRA.

I determine that the following areas in the vicinity of the United States border, located in the States of California, Arizona, New Mexico, and Texas are areas of high illegal entry (collectively “Project Areas”):

#### California

- Starting approximately 1.5 mile east of Border Monument (BM) 251 and ends approximately at BM 250.
- Starting approximately 1.1 miles west of BM 245 and runs east for approximately 0.8 mile.
- Starting approximately 0.2 mile west of BM 243 and runs east along the border for approximately 0.5 mile.
- Starting approximately 0.7 mile east of BM 243 and runs east along the border for approximately 0.9 mile.
- Starting approximately 1.0 mile east of BM 243 and runs east along the border for approximately 0.9 mile.
- Starting approximately 0.7 mile west of BM 242 and stops approximately 0.4 mile west of BM 242.
- Starting approximately 0.8 mile east of BM 242 and runs east along the border for approximately 1.1 miles.
- Starting approximately 0.4 mile east of BM 239 and runs east for approximately 0.4 mile along the border.
- Starting approximately 1.2 miles east of BM 239 and runs east for approximately 0.2 mile along the border.
- Starting approximately 0.5 mile west of BM 235 and runs east along the border for approximately 1.1 miles.
- Starting approximately 0.8 mile east of BM 235 and runs east along the border for approximately 0.1 mile.
- Starting approximately 0.6 mile east of BM 234 and runs east for approximately 1.7 miles along the border.
- Starting approximately 0.4 mile east of BM 233 and runs east for approximately 2.1 miles along the border.
- Starting approximately 0.05 mile west of BM 232 and runs east for approximately 0.1 mile along the border.

- Starting approximately 0.2 mile east of BM 232 and runs east for approximately 1.5 miles along the border.
- Starting 0.6 mile east of Border Monument 229 heading east along the border for approximately 11.3 miles to BM 225.
- Starting approximately 0.1 mile east of BM 224 and runs east along the border for approximately 2.5 miles.
- Starting approximately 2.3 miles east of BM 220 and runs east along the border to BM 207.

#### Arizona

- Starting approximately 1.0 mile south of BM 206 and runs south along the Colorado River for approximately 13.3 miles.
- Starting approximately 0.1 mile north of County 18th Street running south along the border for approximately 3.8 miles.
- Starting at the Eastern edge of BMGR and runs east along the border to approximately 1.3 miles west of BM 174.
- Starting approximately 0.5 mile west of BM 168 and runs east along the border for approximately 5.3 miles.
- Starting approximately 1 mile east of BM 160 and runs east for approximately 1.6 miles.
- Starting approximately 1.3 miles east of BM 159 and runs east along the border to approximately 0.3 mile east of BM 140.
- Starting approximately 2.2 miles west of BM 138 and runs east along the border for approximately 2.5 miles.
- Starting approximately 0.2 miles east of BM 136 and runs east along the border to approximately 0.2 mile west of BM 102.
- Starting approximately 3 miles west of BM 99 and runs east along the border approximately 6.5 miles.
- Starting approximately at BM 97 and runs east along the border approximately 6.9 miles.
- Starting approximately at BM 91 and runs east along the border to approximately 0.7 miles east of BM 89.
- Starting approximately 1.7 miles west of BM 86 and runs east along the border to approximately 0.7 mile west of BM 86.
- Starting approximately 0.2 mile west of BM 83 and runs east along the border to approximately 0.2 mile east of BM 73.

#### New Mexico

- Starting approximately 0.8 mile west of BM 69 and runs east along the border to approximately 1.5 miles west of BM 65.

- Starting approximately 2.3 miles east of BM 65 and runs east along the border for approximately 6.0 miles.
- Starting approximately 0.5 mile east of BM 61 and runs east along the border until approximately 1.0 mile west of BM 59.
- Starting approximately 0.1 miles east of BM 39 and runs east along the border to approximately 0.3 mile east of BM 33.
- Starting approximately 0.25 mile east of BM 31 and runs east along the border for approximately 14.2 miles.
- Starting approximately at BM 22 and runs east along the border to approximately 1.0 mile west BM 16.
- Starting at approximately 1.0 mile west of BM 16 and runs east along the border to approximately BM 3.

#### Texas

- Starting approximately 0.4 miles southeast of BM 1 and runs southeast along the border for approximately 3.0 miles.
- Starting approximately 1 Mi E of the intersection of Interstate 54 and Border Highway and runs southeast approximately 57 miles in proximity to the IBWC levee to 3.7 miles east of the Ft Hancock POE.
- Starting approximately 1.6 miles west of the intersection of Esperanza and Quitman Pass Roads and runs along the IBWC levee east for approximately 4.6 miles.
- Starting at the Presidio POE and runs west along the border to approximately 3.2 miles west of the POE.
- Starting at the Presidio POE and runs east along the border to approximately 3.4 miles east of the POE.
- Starting approximately 1.8 miles west of Del Rio POE and runs east along the border for approximately 2.5 miles.
- Starting approximately 1.3 Mi north of the Eagle Pass POE and runs south approximately 0.8 miles south of the POE.
- Starting approximately 2.1 miles west of Roma POE and runs east approximately 1.8 miles east of the Roma POE.
- Starting approximately 3.5 miles west of Rio Grande City POE and runs east in proximity to the Rio Grande river for approximately 9 miles.
- Starting approximately 0.9 miles west of County Road 41 and runs east approximately 1.2 miles and then north for approximately 0.8 miles.
- Starting approximately 0.5 mile west of the end of River Dr and runs east in proximity to the IBWC levee for approximately 2.5 miles.
- Starting approximately 0.6 miles east of the intersection of Benson Rd

and Cannon Rd and runs east in proximity to the IBWC levee for approximately 1 mile.

- Starting at the Los Indios POE and runs west in proximity to the IBWC levee for approximately 1.7 miles.
  - Starting at the Los Indios POE and runs east in proximity to the IBWC levee for approximately 3.6 miles.
  - Starting approximately 0.5 mile west of Main St and J Padilla St intersection and runs east in proximity to the IBWC levee for approximately 2.0 miles.
  - Starting approximately 1.2 miles west of the Intersection of U.S. HWY 281 and Los Ranchitos Rd and runs east in proximity to the IBWC levee for approximately 2.4 miles.
  - Starting approx 0.5 miles southwest of the intersection of U.S. 281 and San Pedro Rd and runs east in proximity to the IBWC levee for approximately 1.8 miles.
  - Starting approximately 0.1 miles southwest of the Intersection of Villanueva St and Torres Rd and runs east in proximity to the IBWC levee for approximately 3.6 miles.
  - Starting approximately south of Palm Blvd and runs east in proximity to the City of Brownsville's levee to approximately the Gateway-Brownsville POE where it continues south and then east in proximity to the IBWC levee for a total length of approximately 3.5 miles.
  - Starting at the North Eastern Edge of Ft Brown Golf Course and runs east in proximity to the IBWC levee for approximately 1 mile.
  - Starting approximately 0.3 miles east of Los Tomates-Brownsville POE and runs east and then north in proximity to the IBWC levee for approximately 13 miles.
- In order to deter illegal crossings in the Project Areas, there is presently a need to construct fixed and mobile barriers (such as fencing, vehicle barriers, towers, sensors, cameras, and other surveillance, communication, and detection equipment) and roads in the vicinity of the border of the United States. In order to ensure the expeditious construction of the barriers and roads that Congress prescribed in the IIRIRA in the Project Areas, which are areas of high illegal entry into the United States, I have determined that it is necessary that I exercise the authority that is vested in me by section 102(c) of the IIRIRA as amended.
- Accordingly, I hereby waive in their entirety, with respect to the construction of roads and fixed and mobile barriers (including, but not limited to, accessing the project area, creating and using staging areas, the

conduct of earthwork, excavation, fill, and site preparation, and installation and upkeep of fences, roads, supporting elements, drainage, erosion controls, safety features, surveillance, communication, and detection equipment of all types, radar and radio towers, and lighting) in the Project Areas, all federal, state, or other laws, regulations and legal requirements of, deriving from, or related to the subject of, the following laws, as amended: The National Environmental Policy Act (Pub. L. 91–190, 83 Stat. 852 (Jan. 1, 1970) (42 U.S.C. 4321 *et seq.*)), the Endangered Species Act (Pub. L. 93–205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 *et seq.*)), the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act) (33 U.S.C. 1251 *et seq.*)), the National Historic Preservation Act (Pub. L. 89–665, 80 Stat. 915 (Oct. 15, 1966) (16 U.S.C. 470 *et seq.*)), the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*), the Clean Air Act (42 U.S.C. 7401 *et seq.*), the Archeological Resources Protection Act (Pub. L. 96–95, 16 U.S.C. 470aa *et seq.*), the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*), the Noise Control Act (42 U.S.C. 4901 *et seq.*), the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*), the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 *et seq.*), the Archeological and Historic Preservation Act (Pub. L. 86–523, 16 U.S.C. 469 *et seq.*), the Antiquities Act (16 U.S.C. 431 *et seq.*), the Historic Sites, Buildings, and Antiquities Act (16 U.S.C. 461 *et seq.*), the Wild and Scenic Rivers Act (Pub. L. 90–542, 16 U.S.C. 1281 *et seq.*), the Farmland Protection Policy Act (7 U.S.C. 4201 *et seq.*), the Coastal Zone Management Act (Pub. L. 92–583, 16 U.S.C. 1451 *et seq.*), the Wilderness Act (Pub. L. 88–577, 16 U.S.C. 1131 *et seq.*), the Federal Land Policy and Management Act (Pub. L. 94–579, 43 U.S.C. 1701 *et seq.*), the National Wildlife Refuge System Administration Act (Pub. L. 89–669, 16 U.S.C. 668dd–668ee), the Fish and Wildlife Act of 1956 (Pub. L. 84–1024, 16 U.S.C. 742a, *et seq.*), the Fish and Wildlife Coordination Act (Pub. L. 73–121, 16 U.S.C. 661 *et seq.*), the Administrative Procedure Act (5 U.S.C. 551 *et seq.*), the Otay Mountain Wilderness Act of 1999 (Pub. L. 106–145), Sections 102(29) and 103 of Title I of the California Desert Protection Act (Pub. L. 103–433), 50 Stat. 1827, the National Park Service Organic Act (Pub. L. 64–235, 16 U.S.C. 1, 2–4), the National Park Service General

Authorities Act (Pub. L. 91–383, 16 U.S.C. 1a–1 *et seq.*), Sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Pub. L. 95–625), Sections 301(a)–(f) of the Arizona Desert Wilderness Act (Pub. L. 101–628), the Rivers and Harbors Act of 1899 (33 U.S.C. 403), the Eagle Protection Act (16 U.S.C. 668 *et seq.*), the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 *et seq.*), the American Indian Religious Freedom Act (42 U.S.C. 1996), the Religious Freedom Restoration Act (42 U.S.C. 2000bb), the National Forest Management Act of 1976 (16 U.S.C. 1600 *et seq.*), and the Multiple Use and Sustained Yield Act of 1960 (16 U.S.C. 528–531).

This waiver does not supersede, supplement, or in any way modify the previous waivers published in the **Federal Register** on September 22, 2005 (70 FR 55622), January 19, 2007 (72 FR 2535), and October 26, 2007 (72 FR 60870).

I reserve the authority to make further waivers from time to time as I may determine to be necessary to accomplish the provisions of section 102 of the IIRIRA, as amended.

**Michael Chertoff,**

*Secretary.*

[FR Doc. E8–7451 Filed 4–7–08; 8:45 am]

**BILLING CODE 4410–10–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

[USCG–2008–0202]

#### Information Collection Request to Office of Management and Budget; OMB Control Numbers: 1625–0044, 1625–0045, and 1625–0060

**AGENCY:** Coast Guard, DHS.

**ACTION:** Sixty-day notice requesting comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the U.S. Coast Guard intends to submit Information Collection Requests (ICRs) and Analyses to the Office of Management and Budget (OMB) requesting an extension of their approval for the following collections of information: (1) 1625–0044, Outer Continental Shelf Activities—Title 33 CFR Subchapter N; (2) 1625–0045, Adequacy Certification for Reception Facilities and Advance Notice—33 CFR part 158; and (3) 1625–0060, Vapor Control Systems for Facilities and Tank Vessels. Before submitting these ICRs to OMB, the Coast Guard is inviting comments as described below.

**DATES:** Comments must reach the Coast Guard on or before June 9, 2008.

**ADDRESSES:** To avoid duplicate submissions to the docket [USCG–2008–0202], please submit them by only one of the following means:

(1) *Online:* <http://www.regulations.gov>.

(2) *Mail:* Docket Management Facility (DMF) (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001.

(3) *Hand delivery:* DMF between the hours of 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

(4) *Fax:* 202–493–2251.

The DMF maintains the public docket for this notice. Comments and material received from the public, as well as documents mentioned in this notice as being available in the docket, will become part of this docket and will be available for inspection or copying at room W12–140 on the West Building Ground Floor, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://www.regulations.gov>.

A copy of the complete ICR is available through this docket on the Internet at <http://www.regulations.gov>. Additionally, copies are available from Commandant (CG–611), U.S. Coast Guard Headquarters (Attn: Mr. Arthur Requina), 2100 2nd Street, SW., Washington, DC 20593–0001. The telephone number is 202–475–3523.

**FOR FURTHER INFORMATION CONTACT:** Mr. Arthur Requina, Office of Information Management, telephone 202–475–3523, or fax 202–475–3929, for questions on these documents. Contact Ms. Renee V. Wright, Program Manager, Docket Operations, 202–366–9826, for questions on the docket.

#### **SUPPLEMENTARY INFORMATION:**

##### **Public Participation and Request for Comments**

The Coast Guard invites comments on whether this information collection request should be granted based on it being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the collections; (2) the accuracy of the estimated burden of the collections; (3) ways to enhance the quality, utility, and clarity of information subject to the collections; and (4) ways to minimize the burden of



*APPENDIX B*  
*Quino Checkerspot Butterfly Survey Report*

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# Klein-Edwards Professional Services

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June 5, 2007

Mr. Chris Ingram  
Gulf South Research Corporation  
8081 GSRI Avenue  
Baton Rouge, LA 70820

Subject: Results, and Conclusions of Quino Checkerspot Butterfly Survey on the Airport Mesa Site Located in San Diego County, California.

FLITE Tours, Inc, DBA: Klein-Edwards Professional Services (KEPS) was retained by Gulf South Research Corporation to conduct presence/absence surveys for the federally endangered Quino checkerspot butterfly (*Euphydryas editha quino*) at the Airport Mesa site located in the County of San Diego, California. KEPS's surveys were conducted according to the U.S. Fish and Wildlife Service protocols for this species (USFWS 2002). No Quino checkerspot butterflies were detected during the survey times. This report provides the results and conclusions of KEPS's 2007 surveys for the adult Quino checkerspot butterfly.

## Site Location and Description

The Airport Mesa site is located along the U.S./Mexican Border. It is located within the Community of Jacumba on a mesa immediately east of the Jacumba airport within the managerial jurisdiction of the Bureau of Land Management (BLM) in San Diego County, California. The site is within Section 10, Township 18 South, Range 8 East of the USGS 7.5' Jacumba Overextended South, CA/BC Quadrangle.

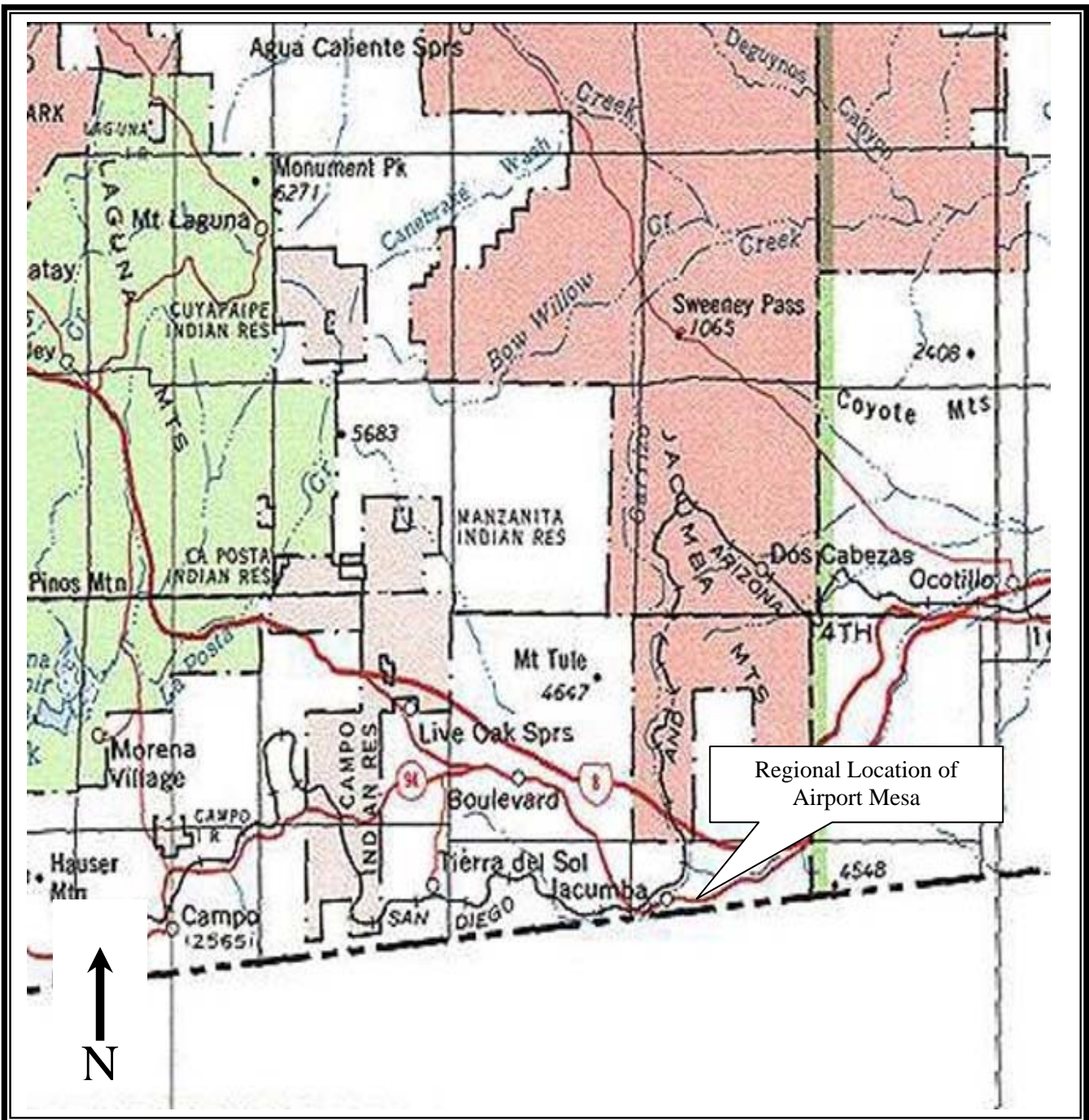
The elevations onsite range from approximately 3,315 feet above mean sea level (MSL) at the south and east beginning point along the Border Patrol access road to approximately 3,527 MSL at the south and western end where the mesa drops down to Monument 232.

The Project is proposing to cut a road from the south and east point along the Border Patrol access road north and upslope to the north-facing slope of the mesa and then turning back south and up the slope to the mesa. From there minimal clearing is proposed from the north mesa edge south to Monument 232. The project survey area consists of the proposed road to be cut and approximately 30-40 feet on either side of where the road is to be cut.

The area consists of a high elevation desert transition zone of most arid vegetation dominated by many species of cacti, creosote bush, jojoba, yucca and agave. There are sections along the proposed road where there is only volcanic rocks present making it difficult to maneuver through. As you make your way towards the north-facing slope it begins to level and the presence of grasses is more dominant.

There is evidence of a brush fire which occurred in the summer of 2005 within the major rocky portion of the northeast portion of the slope. The presence of retardant is still evident and re-growth of the vegetation burned in this area is slow to non-existent.

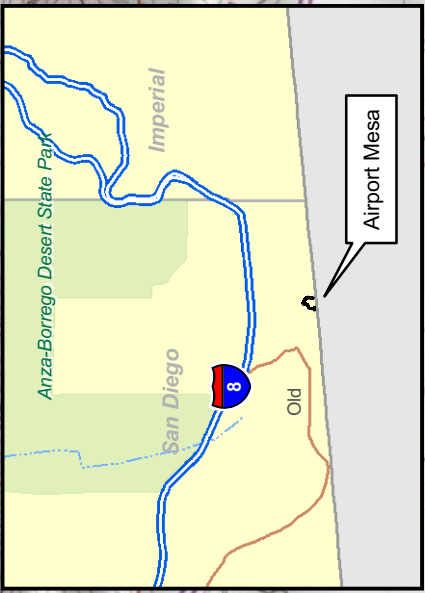
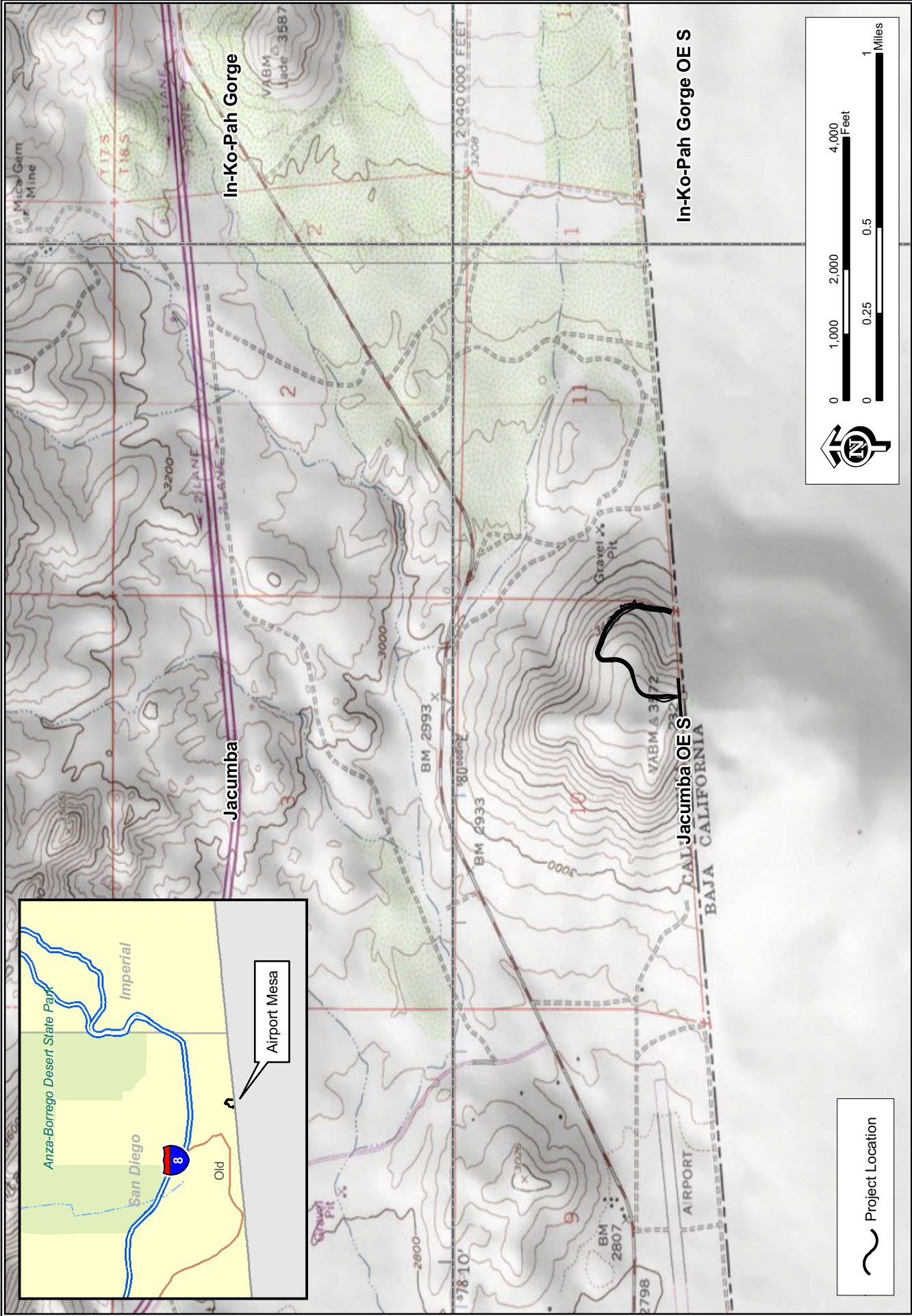




REGIONAL LOCATION  
ON USGS 1:24000 SCALE  
JACUMBA OVEREXTENDED SOUTH  
QUADRANGLE

FIGURE 1





Airport Mesa Project Location

Project Location





The winter rains within the Region were below average with downtown San Diego recording approximately 38% of its annual amount. The Jacumba area received even lower amounts recording approximately 30% of its annual amount. This has created an extremely dry condition where annuals did not green up or bloom and the shrubs present onsite bloomed late or for only a limited time compared to what is biologically known about them. The Flora Compendium reflects the low amount of flowering vegetation during the survey time (Appendix 2).

Proximity to Known Quino Checkerspot Butterfly Sightings

There are recent historical records of QCB within the Community of Jacumba along the western edge of town and south of the railroad tracks. This population has been monitored for a number of years. Some years the numbers are very good and other years no adults are observed. This is not unusual for a butterfly which can adjust its adult flight season depending on the winter rains. This population is approximately 4 km west of the proposed project.

**Survey Methods**

Biologist Michael W. Klein (TE039305-3) conducted a protocol Site Assessment of the Airport Mesa to confirm suitability. In accordance with the 2002 QCB Survey Protocols the location met the requirements for adult presence/absence surveys.

As mentioned above, the proposed project is to cut a road along the east-facing slope of the mesa within BLM lands to the top of the mesa. The Border Patrol would utilize this road to access the mesa and monitor the flow of migrant and drug activity. Also the mesa provides a good vantage to view the Jacumba Valley to the west and O’Neil Valley to the east.

Center line markers were placed along the proposed road cut to assist Mr. Klein in his survey efforts. As mentioned above, Mr. Klein would survey 30-40 feet on either side of the proposed road. His survey method was to survey suitable conditions along the right side of the proposed road to the mesa. Survey the mesa to Monument 232 and return back through the mesa on the opposite side of the proposed road back down the east-facing slope to the beginning point.

**TABLE 1:  
AIRPORT MESA QUINO CHECKERSPOT BUTTERFLY SURVEY INFORMATION**

Date	Survey Hours	Weather Conditions	Purpose of Visit, Biologist(s)
1/03/07	1000-1245	Sunny; SW breeze @ 5-10 mph, 63-70°F.	Site Assessment
3/26/07	0930-1230	Sunny; SW @ 5-7 mph, 66-70°F.	Adult QCB Survey. No adults observed.
4/09/07	1000-1300	Sunny; SW @ 2-6 mph; 64-68°F.	Adult QCB Survey. No adults observed.
4/16/07	0915-0930	Overcast with light drizzle; W @ 4-9 mph, 47°F SURVEY ABORTED	Adult QCB Survey. No adults observed.
4/27/07	1000-1200	Sunny; W-NE @ 10-4 mph, 81-80°F	Adult QCB Survey. No adults observed.
4/30/07	0915-1100	Sunny; no breeze to NE @ 6 mph, 77-84°F.	Adult QCB Survey. No adults observed.

5/05/07	0915-1045	Sunny; NE @ 9-15 mph, 71-75°F	Adult QCB Survey. No adults observed.
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## Results

No Quino Checkerspot Butterflies were observed during the Site Assessment or Surveys. Lower than average winter rains in the Region caused a shortened blooming season for many of the annuals including host plants. It also caused a slightly later than normal emergence of adult QCB and shortened their flight season.

### *Presence and Distribution of Larval Host Plants*

No QCB larval host plants were observed during the adult flight season surveys. During the Site Assessment, woolly plantain (*Plantago Patagonia*) from the previous blooming season, i.e. 2006, was observed along the upper 30-foot survey area outside of the proposed road. That Assessment was performed on January 3<sup>rd</sup> and after noting the presence of the plant, the proposed road was realigned. Since the road was realigned the presence of current season or prior season host plant(s) was no longer an issue.

### *Diversity and Distribution of Adult Nectar Sources*

Lower than average winter rainfall amounts caused many plants to not bloom this season and those that did (Appendix 2) bloomed for only one or at most two weeks. Those plants observed in bloom are not recorded nectar resources for QCB. Also there was only one shrub observed not in flower which would be considered a nectar resource, California buckwheat (*Eriogonum fasciculatum*) and there were only a few of them observed on the east-facing slope of the mesa. Overall the area did not show a diverse flora which would be considered suitable nectar resources for QCB.

### *Open Soils*

Open soils and sparsely vegetated ground occur throughout. Since the dominant vegetative community is desert-type scrub, it is going to be a fairly open habitat with lots of open soil areas. The mesa also is predominantly open with sparsely vegetated jojoba, creosote bush, cacti, yucca and agave.

### *Availability of Ridgelines and Hilltops*

No ridgelines were encountered through the survey route. The mesa is the hilltop and as noted above contains sparse vegetation and mostly open soil. The only place the two species of butterflies were observed was on the mesa.

### *Dirt Roads*

Near the beginning point of the proposed road to the mesa is the presence of two old road cuts which begin at the base of the mesa and go up the slope to about the half-way point. These roads appeared to have historically been used by off road motorized bike activity. These roads appear to not have been used for some time. There was no evidence of recent tire tracks within the roads that bisect the search area.

A total of two butterfly species were detected over the course of the surveys.

Mr. Chris Ingram

Page 4 of 5

**Scientific Name**

*Erynnis funeralis*

*Megathymus yuccae harbisoni*

**Common Name**

funeral duskywing

Harbison's giant skipper

**Conclusions**

No adult QCB were observed during the Site assessment and the presence/absence surveys. Lower than average winter rains has created a shortened flowering season for many of the plants found within the site. This has also caused a significant decline in insects emerging or not utilizing what limited resources were available.

The lower than average rainfall, limited flowering plants and very dry conditions, made conditions on the site difficult for any fauna present. Also, the habitat from a broad definition of the USFWS Protocols is considered suitable. From a more habitat suitability point, the site would be considered less than minimal as suitable for QCB. It is unclear if even in an average or above average rainfall year if conditions would be suitable for the presence of QCB. It appears that there would be small and patchy host plant locations and a limited amount of suitable nectar resources available for the butterfly. Therefore, it would seem unlikely that immature stages would be present as well as adults with the exception of the hilltop. But since the hilltop is mostly utilized as part of their mating cycle and the limited potential for host plants, the mesa does not provide an environment which would encourage mating. Finally, the potential for limited nectar resources would not provide a suitable corridor for dispersal of the butterfly to more suitable spots in which to reproduce.

If you have any questions or comments regarding this report, please contact me directly at 619.282.8687.

Sincerely,

**KLEIN-EDWARDS PROFESSIONAL SERVICES**



Michael W. Klein Sr.  
Biologist / Principal

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**Quino Checkerspot Butterfly Surveys**  
**Performed at the Airport Mesa Site**  
**San Diego County – 2007**

**APPENDIX 1**

**PHOTO PLATES OF THE TERRAIN,**  
**VEGETATION, AND SURVEY AREAS ONSITE**



Airport Mesa 2007 Quino Checkerspot Butterfly Survey Photo Plates



Example of the habitat conditions along the east-facing slope of the site. Open areas with sparse desert component vegetation. Notice the orange colored post near the lower right part of the picture marking the center line of the proposed road.



Along the northeast facing slope showing some of the more dense acacia scrub.

Airport Mesa 2007 Quino Checkerspot Butterfly Survey Photo Plates



The center line of the proposed road along the north-facing part of the mesa. More rock and grasses instead of sparse shrubs.



From the south edge of mesa looking south to Monument 232 which is the International Border.



Airport Mesa 2007 Quino Checkerspot Butterfly Survey Photo Plates



Example of the mesa top looking south and west. Mostly open soil with sparse creosote and jojoba.



The north and east facing portions of the slope looking south. Mostly open soils towards the mesa top with rocks interspersed.

Airport Mesa 2007 Quino Checkerspot Butterfly Survey Photo Plates



Along the slope near to where the proposed road is to bend south. Marked centerline post and below is Old Hwy 80.



Acton's Sunflower. This was the only time it was observed in flower which was on April 30<sup>th</sup>.

**Quino Checkerspot Butterfly Surveys**  
**Performed at the Airport Mesa Site**  
**San Diego County – 2007**

**APPENDIX 2**

**FLORAL COMPENDIUM**

**PLANT SPECIES IDENTIFIED ONSITE**



# Airport Mesa Flora Compendium

The following compendium only represents those plants which were observed in flower. It does not represent the entire flora observed onsite.

## **GNETALES**

### **EPHEDRA FAMILY (EPHEDRACEAE)**

California Ephedra (*Ephedra californica*)

## **DICOTS**

### **SUNFLOWER FAMILY (ASTERACEAE)**

Acton's Encelia (*Encelia virginensis*)

### **SPURGE FAMILY (EUPHORBIACEAE)**

Sand Mat (*Chamaesyce polycarpa*)

### **FOUR O CLOCK FAMILY (NYCTAGINACEAE)**

Wishbone Plant (*Mirabilis laevis*)



**Quino Checkerspot Butterfly Surveys**  
**Performed at the Airport Mesa Site**  
**San Diego County – 2007**

**APPENDIX 3**

**FAUNA COMPENDIUM**

**IDENTIFIED ONSITE**





# 2007 Quino Checkerspot Butterfly Airport Mesa Fauna Compendium

## **INVERTEBRATES**

### **GRASSHOPPERS, CRICKETS AND KATYDIDS (ORTHOPTERA)**

#### **SHORT-HORNED GRASSHOPPER (ACRIDIDAE)**

Yellow Pallid Band-Wing (*Lactista gibossus*)

Pallid Band-Wing (*Trimerotropis pallidipennis*)

#### **TRUE BUGS (HEMIPTERA)**

##### **SEED BUG (LYGAEIDAE)**

Small Milkweed Bug (*Lygaeus kalmii*)

##### **ASSASSIN BUG (REDUVIDAE)**

Bee Assassin Bug (*Apiomerus crassipes*)

### **BUTTERFLIES, SKIPPERS, MOTHS (LEPIDOPTERA)**

#### **RIBBED-COCOON MAKER MOTH (FAMILY BUCCULATRICIDAE)**

Ribbed-Cocoon Maker Moth (*Bucculatrix* sp.)

#### **TWIRLER MOTH (FAMILY GELECHIIDAE)**

Twirler Moth (*Gelechiidae* Family)

#### **SPREAD-WING SKIPPERS (PYRGINAE SUBFAMILY)**

Funereal Duskywing (*Erynnis funeralis*)

#### **GIANT-SKIPPERS (MEGATHYMINAE SUBFAMILY)**

Harbison's Giant-Skipper (*Megathymus yuccae harbisoni*)

### **GNATS, MIDGES AND FLIES (DIPTERA)**

#### **HOUSE FLY (MUSCIDAE)**

Haematobia Fly (*Haematobia* sp.)

Canyon Fly (*Fannia benjamini*)

#### **FLESH FLY (SARCHOPHAGIDAE)**

Flesh Fly (*Sarcophaga* sp.)

### **BETTERLES (COLEOPTERA)**

#### **GROUND BETTERLES (CARABIDAE)**

Common Calosoma (*Calosoma semilaeve*)

Rufous Ground Beetle (*Calathus ruficollis*)

#### **SOFT-WINGED FLOWER BETTERLES**

##### **(MELYRIDAE)**

Soft-winged Flower Beetle (*Dasytastes* sp.)

### **ANTS, WASPS, BEES**

#### **(HYMENOPTERA)**

##### **YELLOW-FACED AND PLASTERER BEE**

##### **(COLLETIDAE)**

Plasterer Bee (*Colletes* sp.)

### **AMPHIBIANS AND REPTILES**

#### **SQUAMATA - WORM LIZARDS,**

#### **LIZARDS AND SNAKES**

##### **PHRYNOSOMATID LIZARDS**

##### **(PHRYNOSOMATIDAE)**

California Side-Blotched Lizard (*Uta stansburiana elegans*)

### **BIRDS**

#### **NEW WORLD VULTURES (CATHARTIDAE)**

Turkey Vulture (*Cathartes aura*)

#### **HAWKS, EAGLES AND KITES**

##### **(ACCIPITRIDAE)**

Red-tailed Hawk (*Buteo jamaicensis*)

#### **DOVES AND PIGEONS (COLUMBIDAE)**

Mourning Dove (*Zenaida macroura*)

#### **SWIFTS (APODIDAE)**

White-throated Swift (*Aeronautes saxatalis*)

#### **HUMMINGBIRDS (TROCHILIDAE)**

Costa's Hummingbird (*Calypte costae*)

**TYRANT FLYCATCHERS (TYRANNIDAE)**

Ash-throated Flycatcher (*Myiarchus cinerascens*)

**SILKY-FLYCATCHERS (PTILOGONATIDAE)**

Phainopepla (*Phainopepla nitens*)

**WRENS (TROGLODYTIDAE)**

Cactus Wren (*Campylorhynchus brunneicapillus*)

Bewick's Wren (*Thryomanes bewickii*)

House Wren (*Troglodytes aedon*)

**CROWS AND JAYS (CORVIDAE)**

Common Raven (*Corvus corax*)

**SISKINS, CROSSBILLS AND ALLIES**

**(FRINGILLIDAE)**

House Finch (*Carpodacus mexicanus*)

Lesser Goldfinch (*Carduelis psaltria*)

Lawrence's Goldfinch (*Carduelis lawrencei*)

**NEW WORLD WARBLERS (PARULIDAE)**

Yellow-rumped Warbler (*Dendroica coronata*)

**BUNTINGS AND NEW WORLD SPARROWS (EMBERIZIDAE)**

Black-throated Sparrow (*Amphispiza bilineata*)

**MAMMALS**

**RABBITS & HARES (LEPORIDAE)**

Black-tailed Jackrabbit (*Lepus californicus*)

Desert Cottontail (*Sylvilagus audubonii*)

**SQUIRRELS & MARMOTS (SCURIDAE)**

Californian Ground Squirrel (*Spermophilus beecheyi*)

White-tailed Antelope Squirrel

(*Ammospermophilus leucurus*)

**POCKET GOPHERS (GEOMYIDAE)**

Valley Pocket Gopher (*Thomomys bottae*)

**Quino Checkerspot Butterfly Surveys**  
**Performed at the Airport Mesa Site**  
**San Diego County – 2007**

**APPENDIX 4**

**COPIES OF SURVEY FIELD NOTES**



Wednesday, January 3, 2007

## Airport Mesa QCB Site/Habitat Assessment

Start: 1000, clear, some breezes from the SW @ 5mph, 63°F

Stop: 1245, clear, SW breeze @5-10mph, 70°F

Performed a QCB Site/Habitat assessment for the Airport Mesa near the Community of Jacumba, San Diego County. This assessment is for a proposed road to be cut into the side of an east-facing slope on a mesa just east of the Jacumba airport within BLM jurisdictional land. The mesa is also just west of what is called O'Neal Valley.

The overall area is a mixture of transitional high elevation desert scrub which contains creosote bush, yucca, agave, brittlebush, jojoba, numerous species of cacti and California juniper. Elevation at the beginning of the proposed road is approximately 3,400 feet and goes north along the east-facing slope of the mesa to a point where it turns north and then back in a southerly direction heading upslope to a mesa top at an elevation of approximately 3,550 feet.

The proposed road is approximately 4 miles southeast from a historical location of QCB and that habitat looks very similar to the area in Jacumba historically occupied by the QCB. It contains low growing herbaceous annuals along with the above mention drought tolerant cacti and other vegetation. There is easy access through the marked road steaks with some granite rocks exposed throughout.

Conditions show the area currently dry but with some evidence of recent rains due to one goldenbush plants showing new buds. There is also clear evidence of the previous year's annual plants such as chia, borages and the sighting of one woolly plantain. The dried plantain was nearly halfway through the east-facing slope and almost at the center point of the proposed road next to some boulders where it appears small amounts of ponding would likely occur.

As the proposed road begins its turn near the north facing slope the habitat becomes much more rocky with very little to no plants. This is for approximately thirty (30) feet. The proposed road then turns south along the north-facing slope and continues upslope to the mesa top. At this point the habitat contains a few less boulders and becomes more grassy consisting mostly of a fescue. The fescue is dense enough that if any potential host plants or nectar resources would be present it would out compete those plants and become less desirable for early stages of QCB.

The mesa top contains very sparse vegetation with mostly bare ground as a few smaller rocks. Vehicular access would be fairly easy due to the nature of how open it is. As you walk the mesa top through the proposed road heading south the vegetation returns to what was observed along the east-facing slope of cacti, agaves and yuccas to the international border and marker, Monument 232. The initial mesa top would be QCB suitable for dispersing butterflies as well as potential hill topping activity. The more vegetative area provides a suitable enclosure for potential QCB to roost at night. There was no evidence of host plants or nectar resources at this time but if winter rains are average then the potential is there for such plants, if present, to sprout.

Overall the proposed road and approximately 30-40 feet on either side of the proposed road contains suitable conditions for performing presence/absence surveys of QCB. It is recommended that this area be surveyed for the butterfly.

March 26, 2007

Airport Mesa QCB Survey #1

Start: 0930, sunny, SW @ 5mph, 66°F

Stop: 1230, sunny, SW-W @ 3-7mph, 70°F

Beginning the first of adult QCB surveys at Airport Mesa. I am accompanied by Border Agent Jim McFadden. Winter rains have been very low and overall conditions appear pretty dry. There was a significant thunder storm out here last Thursday so it will be interesting to see how the plants have responded to it. We are starting along the BP road by the east portion to where the proposed road will begin. We will make our way through the proposed road and survey up to 30 feet to the one side all of the way to the Monument. Then we will survey up to 30 feet on the other side of the proposed road from the Monument back to the BP access road.

1130 – Conditions are extremely dry with no annuals or perennials in flower. This has created a condition where insect activity is almost non-existent. If rains scheduled for tomorrow do not bring decent rains I will probably skip a week and do my second visit in 2 weeks. The sighting of 2 giant skippers was encouraging but they were content to perch on the bare ground.

Winds on the mesa top are between 13-15mph with sunny conditions. No quino observed. So we are now heading back down the route surveying on the other side of the proposed road going out 30 feet. I flushed a funeral duskywing from the base of a yucca. This gives an indication of the dry and windy conditions here.

1230 – Completed survey. No quino observed. Conditions are very dry and therefore I am going to skip a week to allow for the rains to hopefully stimulate plant growth and flowering. With only 2 species of butterflies observed it does not appear that it would initially be a good year. My method will then be to continue to survey at a much slower pace with the potential of observing any small butterfly areas and movement.

Plants (only reporting those in flower or with buds):

Birds: BTSP, RTHA, WTSW, YRWA, MODO, COHU

Herps: SBLIZ

Mammas: cottontail, pocket gopher, ground squirrel, antelope squirrel, BTJR

Inverts: flesh fly, muscid fly, *M. yuccae* (2), *E. funeralis* (2), canyon fly, calosoma beetle,

April 9, 2007

Airport Mesa QCB Survey #2

Start: 1000, sunny, SW 2 mph, 64°F

Stop: 1300, sunny, SW 5-6 mph, 68°F

Survey #2 at the airport mesa site. On the east side of the slope the conditions are quiet with sunny and non-windy conditions. Once on the mesa things may easily change. I will perform my survey the same way as last time with searching on the upper side of the proposed road to the mesa top and onto the monument and then doing the lower side back to the starting point.

1115 - I have completed the one side of the proposed road. No quino observed. I did find some wishbone plant coming up but not yet in flower. This was the only greenery found. The only insects seen are a few territorial flesh flies. No butterflies or skippers observed yet.

The mesa has winds again today but they are currently blowing at 10-12 mph. Temp is still 64F but I am in 100% sunny conditions. I believe the primary reason for not seeing more insect activity is due to the very dry conditions. I have my first skipper hilltopping which is a funereal duskywing.

1245 - I have completed the opposite side of the proposed back to the starting point. No quino observed. I did have a few more duskywings fly past me heading upslope on the east-facing side of the mesa. I had a pine bush with buds on it. So hopefully it will be in flower soon and allow for more insect activity. Outside the wishbone plant no annuals, including grasses are green.

Inverts: flesh fly, *E. funeralis* (4),

Birds: HOFI, TUVU, BEWR, BTSP, LEGO, LAGO, CAWR, WTSW, COHU, CORA,

Herps: SBLIZ

Mammals: Audubon's cottontail, BTJR, ground squirrel

Plants (flowering only): wishbone plant, pine bush

April 16, 2007

Airport Mesa QCB Survey #3

Start: 0915, overcast, W 4-8mph, 47°F

Stop: 0930, overcast with drizzle, W 9mph, 47°F

0915 - Overcast, windy cold day. There is even drizzle currently. I took the Interstate 8 out and from Buckman Springs east conditions got worse and cooler. Clouds are covering almost the entire County. It does not appear from what I drove through that it is going to clear up anytime soon. I am therefore Aborting today's survey.

Inverts:

Birds:

Herps:

Mammals:

Plants (flowering only):



April 27, 2007

Airport Mesa QCB Survey #3

Start: 1000, sunny, W 8-10mph, 81°F

Stop: 1200, sunny, NE 4-6 mph, 80°F

Getting survey #3 done today. Very good conditions with warm sunny weather. The winds may be the only potential problem. I will try to get through this quickly but thoroughly. I am going to survey within 30' of center road on the lower portion all the way to the mesa. From there I will meander around the mesa to Monument 232. I will survey the mesa through suitable habitat and then follow the center markers all of the way back to the beginning point searching up to 30' on the upper side of the road. This will provide a comprehensive search method for detecting insect activity.

1100 – I have completed my first leg to the Monument and will begin making my way back down the slope to the starting point. No quino observed. The only insects were a couple of assassin bug, band-wing grasshopper and one flesh fly. Conditions have improved since my previous visit but only slightly. The recent cool temps and rains have caused many of the cactus to grow new fresh needles. The wishbone plant and mormon tea are still green. The jojoba also appears to have greened up a bit. I did find some flowering sand mat at the mesa edge along the northern portion. There were approx 10 plants in flower but no insects were observed nectaring.

Winds are gusty on the mesa and coming from the NE. Steady at 10-14 mph with gusts to 25 mph. Sometimes the winds drop to 5-6 mph.

1145 – I have completed the survey. No quino observed. The east-facing slope has only jojoba, golden bush and some wishbone plant that is green. There are no grasses greened up and nothing in flower. The mesa is the more active area where there is some more vegetation and cover. No lizards observed today.

Inverts: assassin bug, band-wing grasshopper, flesh fly, muscid fly, carabid beetle, yellow band-wing grasshopper

Birds: HOFI, WTSW, PHAI, TUVU, CORA, BTSP, MODO, CAWR

Herps: SBLIZ

Mammals: gopher

Plants (flowering only): sand mat

April 30, 2007

Airport Mesa QCB Survey #4

Start: 0915, sunny, no breeze, 77°F

Stop: 1100, sunny, NE 4-6 mph, 84°F

Performing visit #4 at Airport Mesa today. Warm dry conditions with currently no breeze will make for optimal insect conditions. Many are active around me even before I begin my survey.

1000 – I am at the Monument and no quino were observed. No butterflies were observed either. I found 2 flowering inland sunflower plants. Insect activity was present with megachilids, bee flies, leaf beetles and milkweed bugs. This is expected since this is the only thing in flower other than a few of the sand mat plants observed last week. All I observed there were the small red-black leaf beetles. There is a gentle north breeze here on the mesa blowing between 3-4 mph.

1045 – I have completed the survey. Since the only things in flower are a few sand mat plants and sunflower, the insect activity is at a premium. Even predatory insects are down. No quino or any butterflies observed.

Inverts: flesh, fly, muscid fly, leaf beetle, milkweed bug, bee fly, band-wing grasshopper, assassin bug, leaf-cutter bee, microlep

Birds: HOFI, ASFL, CAWR, CORA

Herps: SBLIZ

Mammals: BTJR, antelope squirrel

Plants (flowering only): sunflower

May 7, 2007

Airport Mesa QCB Survey #5

Start: 0915, sunny, NE 9-12 mph w/ gusts over 13 mph, 71°F

Stop: 1045, sunny, NE 10-15 mph, 75°F

Performing visit #5 at Airport Mesa today. Windy conditions may hinder insect activity on the mesa itself but they are currently still within protocols. Temps are fine. Since the area has had so little rain this year and there does not appear to be any reports of quino being observed out this way, I will not continue my surveys after today.

1000 – As expected the winds on the mesa are strong. At the Monument they are 17-19 mph with gusts to 21 mph. Further north on the mesa they are 12-14 mph with gusts to 17 mph. On the east and northeast slope getting to the mesa the winds are 12-14 mph. This coupled with dry conditions are not allowing insects to be flying. Anything that I may encounter would be flushed off the ground or I would see them on the ground. So far no insects have been observed.

1030 – I have completed the survey route. No quino observed. It was not until I got around the slope to a less windy side that I got any insects. I had one assassin bug and two flesh flies. The Aster I had last visit in flower is now finished flowering. The high winds have blown the flower parts all apart. So there was no insect activity around it. On the mesa I had a couple of sand mat plants in flower but I did not observe any insects visiting them. Probably more due to the high winds on the mesa.

Inverts: assassin bug, flesh fly

Birds: HOFI, TUVU, CORA, PHAI

Herps: SBLIZ

Mammals: BTJR, pocket gopher

Plants (flowering only):



*APPENDIX C*  
*Air Quality Calculations*

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CALCULATION SHEET-COMBUSTABLE EMISSIONS

Assumptions for Cumbustable Emissions					
Type of Construction Equipment	Num. of Units	HP Rated	Hrs/day	Days/yr	Total hp-hrs
Water Truck	1	300	10	60	180000
Diesel Road Compactors	0	100	10	60	0
Diesel Dump Truck	0	300	10	60	0
Diesel Excavator	1	300	10	60	180000
Diesel Trenchers	0	175	10	60	0
Diesel Bore/Drill Rigs	0	300	10	60	0
Diesel Cement & Mortar Mixers	2	300	10	60	360000
Diesel Cranes	1	175	10	60	105000
Diesel Graders	1	300	10	60	180000
Diesel Tractors/Loaders/Backhoes	1	100	10	60	60000
Diesel Bull Dozers	1	300	10	60	180000
Diesel Front End Loaders	0	300	10	60	0
Diesel Fork Lifts	0	100	10	60	0
Diesel Generator Set	0	40	10	60	0

Emission Factors							
Type of Construction Equipment	VOC g/hp-hr	CO g/hp-hr	NOx g/hp-hr	PM-10 g/hp-hr	PM-2.5 g/hp-hr	SO2 g/hp-hr	CO2 g/hp-hr
Water Truck	0.440	2.070	5.490	0.410	0.400	0.740	536.000
Diesel Road Compactors	0.370	1.480	4.900	0.340	0.330	0.740	536.200
Diesel Dump Truck	0.440	2.070	5.490	0.410	0.400	0.740	536.000
Diesel Excavator	0.340	1.300	4.600	0.320	0.310	0.740	536.300
Diesel Trenchers	0.510	2.440	5.810	0.460	0.440	0.740	535.800
Diesel Bore/Drill Rigs	0.600	2.290	7.150	0.500	0.490	0.730	529.700
Diesel Cement & Mortar Mixers	0.610	2.320	7.280	0.480	0.470	0.730	529.700
Diesel Cranes	0.440	1.300	5.720	0.340	0.330	0.730	530.200
Diesel Graders	0.350	1.360	4.730	0.330	0.320	0.740	536.300
Diesel Tractors/Loaders/Backhoes	1.850	8.210	7.220	1.370	1.330	0.950	691.100
Diesel Bull Dozers	0.360	1.380	4.760	0.330	0.320	0.740	536.300
Diesel Front End Loaders	0.380	1.550	5.000	0.350	0.340	0.740	536.200
Diesel Fork Lifts	1.980	7.760	8.560	1.390	1.350	0.950	690.800
Diesel Generator Set	1.210	3.760	5.970	0.730	0.710	0.810	587.300

CALCULATION SHEET-COMBUSTABLE EMISSIONS

Emission factors (EF) were generated from the NONROAD2005 model for the 2006 calendar year. The VOC EFs includes exhaust and evaporative emissions. The VOC evaporative components included in the NONROAD2005 model are diurnal, hotsoak, running loss, tank permeation, hose permeation, displacement, and spillage. The construction equipment age distribution in the NONROAD2005 model is based on the population in U.S. for the 2006 calendar year.

Emission Calculations							
Type of Construction Equipment	VOC tons/yr	CO tons/yr	NOx tons/yr	PM-10 tons/yr	PM-2.5 tons/yr	SO2 tons/yr	CO2 tons/yr
Water Truck	0.087	0.411	1.089	0.081	0.079	0.147	106.321
Diesel Road Paver	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Dump Truck	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Excavator	0.067	0.258	0.912	0.063	0.061	0.147	106.380
Diesel Trenchers	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Bore/Drill Rigs	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Cement & Mortar Mixers	0.242	0.920	2.888	0.190	0.186	0.290	210.143
Diesel Cranes	0.051	0.150	0.662	0.039	0.038	0.084	61.349
Diesel Graders	0.069	0.270	0.938	0.065	0.063	0.147	106.380
Diesel Tractors/Loaders/Backhoes	0.122	0.543	0.477	0.091	0.088	0.063	45.696
Diesel Bull Dozers	0.071	0.274	0.944	0.065	0.063	0.147	106.380
Diesel Front End Loaders	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Aerial Lifts	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Diesel Generator Set	0.000	0.000	0.000	0.000	0.000	0.000	0.000
<b>Total Emissions</b>	<b>0.711</b>	<b>2.826</b>	<b>7.911</b>	<b>0.596</b>	<b>0.580</b>	<b>1.024</b>	<b>742.650</b>

Conversion factors	
Grams to tons	1.102E-06



CALCULATION SHEET-SUMMARY OF EMISSIONS

<b>Proposed Action Construction Emissions for Criteria Pollutants (tons per year)</b>						
Emission source	VOC	CO	NOx	PM-10	PM-2.5	SO <sub>2</sub>
Combustable Emissions	0.71	2.83	7.91	0.60	0.58	1.02
Construction Site-fugitive PM-10	NA	NA	NA	5.30	1.06	NA
Construction Workers Commuter & Trucking	0.12	1.15	0.23	0.00	0.00	NA
Total emissions	0.84	3.98	8.14	5.90	1.65	1.02
De minimis threshold	100.00	100.00	100.00	NA	NA	100.00

CALCULATION SHEET-TRANSPORTATION COMBUSTABLE EMISSIONS

Personal Vehicle Commuting to Construction Sight-Passenger and Light Duty Trucks									
Pollutants	Emission Factors		Assumptions				Results by Pollutant		
	Passenger Cars g/mile	Pick-up Trucks, SUVs g/mile	Mile/day	Day/yr	Number of cars	Number of trucks	Total Emissions Cars tns/yr	Total Emissions Trucks tns/yr	Total tns/yr
VOCs	1.36	1.61	60	60	10	10	0.05	0.06	0.12
CO	12.4	15.7	60	60	10	10	0.49	0.62	1.11
NOx	0.95	1.22	60	60	10	10	0.04	0.05	0.09
PM-10	0.0052	0.0065	60	60	10	10	0.00	0.00	0.00
PM 2.5	0.0049	0.006	60	60	10	10	0.00	0.00	0.00

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Heavy Duty Trucks Delivery Trucks to Construction Sight									
Pollutants	Emission Factors		Assumptions				Results by Pollutant		
	10,000-19,500 lb Delivery Truck	33,000-60,000 lb semi trailer rig	Mile/day	Day/yr	Number of trucks	Number of trucks	Total Emissions Cars tns/yr	Total Emissions Trucks tns/yr	Total tns/yr
VOCs	0.29	0.55	60	60	2	2	0.00	0.00	0.01
CO	1.32	3.21	60	60	2	2	0.01	0.03	0.04
NOx	4.97	12.6	60	60	2	2	0.04	0.10	0.14
PM-10	0.12	0.33	60	60	2	2	0.00	0.00	0.00
PM 2.5	0.13	0.36	60	60	2	2	0.00	0.00	0.00

OBP Commute to New Site									
Pollutants	Emission Factors		Assumptions				Results by Pollutant		
	Passenger Cars g/mile	Pick-up Trucks, SUVs g/mile	Mile/day	Day/yr	Number of cars	Number of trucks	Total Emissions Cars tns/yr	Total Emissions Trucks tns/yr	Total tns/yr
VOCs	1.36	1.61	60	4	0	0	-	0.00	-
CO	12.4	15.7	60	4	0	0	-	0.00	-
NOx	0.95	1.22	60	4	0	0	-	0.00	-
PM-10	0.0052	0.0065	60	4	0	0	-	0.00	-
PM 2.5	0.0049	0.006	60	4	0	0	-	0.00	-

POV Source: USEPA 2005 Emission Facts: Average annual emissions and fuel consumption for gasoline-fueled passenger cars and light trucks. EPA 420-F-05-022 August 2005. Emission rates were generated using MOBILE.6 highway vehicle emission factor model.

Fleet Characterization: 20 POVs commuting to work were 50% are pick up trucks and 50% passenger cars

CALCULATION SHEET-TRANSPORTATION COMBUSTABLE EMISSIONS

Conversion factor:	gms to tons
	0.000001102

CALCULATION SHEET-FUGITIVE DUST

<b>Fugitive Dust Emissions at New Construction Site.</b>					
<b>Construction Site</b>	<b>Emission Factor tons/acre/month (1)</b>	<b>Total Area- Construction Site</b>	<b>Months/yr</b>	<b>Total PM-10 Emissions tns/yr</b>	<b>Total PM-2.5 (2)</b>
	0.11	4.02	12	5.30	1.06

1. Mid-Atlantic Regional Air Management Association (MARAMA). Fugitive Dust-Construction Calculation Sheet can be found online at: [http://www.marama.org/visibility/Calculation\\_Sheets/](http://www.marama.org/visibility/Calculation_Sheets/). MRI= Midwest Research Institute, Inventory of Agricultural Tiling, Unpaved Roads, Airstrips and construction Sites., prepared for the U.S. EPA, PB 238-929, Contract 68-02-1437 (November 1977)

2. 20% of the total PM-10 emissions are PM-2.5 (EPA 2006).

<b>Costruction Site Area</b>	<b>Demension (ft)</b>			
<b>Proposed Prioject</b>	<b>Length</b>	<b>Width</b>	<b>Units</b>	<b>Total Acres</b>
New Road Construction	3484.8	50	1	4.00
Night vision scope pads	20	20	2	0.02
<b>Total</b>				<b>4.02</b>

<b>Conversion Factors</b>	<b>Miles to feet</b>	<b>Acres to sq ft</b>	<b>Sq ft to acres</b>	<b>Sq ft in 0.5 acres</b>
	5280	0.000022957	43560	21780

Length of new road (miles)

0.66