



**U.S. Customs and
Border Protection**

MEMORANDUM FOR: Karl H. Calvo
Executive Director
Facilities Management and Engineering

FROM: Christopher S. Oh
Director
Enterprise Management Office

SUBJECT: Review and Signature of the FONSI for the Opening of Boquillas
Border Crossing Non-Assistive Cooperative Agreement between CBP
and NPS

In coordination with the Land Border Integration (LBI) Program Management Office, attached for your signature is the Finding of No Significant Impact (FONSI) for the opening of the Boquillas Border Crossing facility.

U.S. Customs and Border Protection (CBP) published a Notice of Proposed Rulemaking (NPRM) in the Federal Register on October 28, 2011 that included the proposal to construct and operate, in partnership with the National Park Service (NPS), a joint-use facility within the Big Bend National Park named Boquillas. The crossing will be located at the site of the historic crossing, which was closed as a result of September 11, 2001. The facility will be a Class B port of entry (POE) under the supervisory POE of Presidio, Texas, as well as a national park visitor contact station.

The NPS published an environmental analysis, which evaluated two alternatives: the continued closure of the Boquillas crossing, and the construction and operation of a joint use facility. The NPS issued a FONSI on June 28, 2011 concluding that the proposed activities will not result in a significant impact to the human and natural environment. CBP proposes to adopt the NPS FONSI entitled because it encompasses all the components applicable to CBP, including operations.

I recommend that you sign the attached FONSI. The NPS FONSI and CBP NPRM are attached for your convenience. If you have any additional questions or concerns, please contact Jennifer Hass at (202) 344-1929.

A handwritten signature in blue ink that reads "Christopher S. Oh" followed by a stylized flourish.

Christopher S. Oh

Attachments

FINDING OF NO SIGNIFICANT IMPACT
FOR PROPOSED
Opening of Boquillas Border Crossing in Big Bend National Park
Non-Assistive Cooperative Agreement

Between
U.S. Department of Homeland Security, U.S. Customs and Border Protection
and
U.S. Department of the Interior, National Park Service

Project History: Originally established in June 1944, Big Bend National Park is a result of the shared interest by Presidents Obama and Calderón in the conservation of shared ecosystems on both sides of the Rio Grande. The U.S. Congress authorized its establishment to preserve and protect a representative area of the Chihuahuan Desert along the Rio Grande for the benefit of present and future generations. The park encompasses over 800,000 acres rich in biological and geological diversity, cultural history, recreational resources, and opportunities for binational protection of our shared natural and cultural heritage. The Rio Grande runs through Big Bend National Park and forms part of the international boundary between Mexico and the United States.

Before 2002, a border crossing called Boquillas was located along the Rio Grande between the towns of Presidio and Del Rio, TX. However, as a result of the September 11, 2001 events, the Boquillas crossing was closed until appropriate security measures could be implemented. Currently, there are no border crossings within Big Bend National Park and the nearest border crossing is located approximately 100 miles west, in the port of entry (POE) of Presidio, Texas.

As a result of the continuing effort of bilateral cooperation in environmental conservation, Presidents Obama and Calderón issued a joint statement on May 19, 2010, pledging both countries' commitment to preserve this region of biological diversity on both sides of the Rio Grande; recognizing that together, the Big Bend National Park and Rio Grande Wild and Scenic River in the United States, with the Protected Areas of Maderas del Carmen, Cañon de Santa Elena, Ocampo, and Río Bravo del Norte in Mexico, comprise one of the largest and most significant ecological systems in North America. The Presidents noted that increased cooperation in these protected areas would restrict development and enhance security in the region and within this fragile desert ecosystem. Based on this joint statement, discussions between the White House, the U.S. Department of the Interior, and the Department of Homeland Security initiated the construction of a joint use facility and on January 6, 2011, the Commissioner of CBP announced that CBP plans to reestablish a border crossing at Boquillas.

On May 4, 2011, in accordance with the National Environmental Policy Act, the National Park Service (NPS) made public an environmental analysis titled, *Boquillas Crossing Visitor Contact Station Environmental Assessment*, which evaluated two alternatives: the no action alternative (continued closure of the Boquillas crossing) and the action alternative (the preferred alternative for the construction and operation of a joint use

facility at the historic Boquillas crossing). Under the no action alternative, the project area would remain closed to vehicular traffic and continue to be an area of low visitor use given its remote location within the park. The preferred alternative will reestablish the Boquillas crossing by constructing and operating a visitor contact station and Class B POE. NPS received two substantive comments during a thirty day public comment period. No changes to the environmental assessment were required. NPS issued a Finding of No Significant Impact (FONSI) on June 28, 2011 concluding that the proposed activities would not result in a significant impact to the human and natural environment. These documents are posted on their website at <http://parkplanning.nps.gov/documentsList.cfm?projectID=31941>, and their contents are incorporated herein by reference.

U.S. Customs and Border Protection (CBP) published a Notice of Proposed Rulemaking (NPRM) in the Federal Register on October 28, 2011 that included the proposal to create, in partnership with NPS, a joint use facility within Big Bend National Park named Boquillas. The crossing would be located at the site of the historic crossing and function as a Class B POE under the supervisory POE of Presidio, Texas, as well as a national park visitor contact station. CBP has posted this NPRM in the docket at <http://www.regulations.gov/#!documentDetail;D=USCBP-2011-0032-0001>.

Purpose and Need: The purpose of opening the Boquillas border crossing is to provide visitor information and to support safe and secure international crossings of the Rio Grande. The Boquillas border crossing is needed to fill the void of a long stretch of border between Presidio and Del Rio, Texas where there is currently no authorized international border crossing.

The visitor contact station and Class B POE are essential to support the following objectives:

- In addition to our mission to protect America, we have an obligation to facilitate trade and travel with Mexico. The creation of a POE near Boquillas in Big Bend National Park would facilitate travel within the Big Bend–Rio Bravo project area.
- The Class B POE at Boquillas would fill the void of a long stretch of border (approximately 290 miles) between Presidio and Del Rio where there is currently no POE.
- The presence of a POE would not contribute to vulnerability of the border. The partnerships with Mexico by Customs and Border Protection and NPS can only add to the cooperative environment developed over the last several years, which provides for continued security and commerce for both nations.
- The reinstatement of the ability to legally travel to Mexico from within the park would contribute to the security and welfare of visitors and would increase travel to the area.

Additionally, a border crossing would aid in the joint protection of shared wildlife in Big Bend National Park, one of the most biologically diverse regions in the world.

Proposed Action: The proposed action is to construct and operate a visitor contact station and Class B (remote, automated) POE within Big Bend National Park, along the Rio Grande and approximately one mile northeast of Rio Grande Village. The Boquillas border crossing will service only pedestrians visiting Big Bend National Park and Mexican Protected Areas and not import business. Therefore, CBP will not process cargo, commercial entries, or vehicles at Boquillas. The visitor contact station site area will be open to vehicular traffic. NPS will provide the land and construct the facility consisting of two adjacent buildings.

The first building will house visitor services, including a lobby and staff area, and the POE. NPS plans to provide staffing for visitor contact during normal park operational hours, parking, an access trail, and a landing point for the cross-border boats. This building will house remote technology; consisting of two document scanning kiosk areas, two support rooms for local area network and mechanical/electrical equipment. A surveillance camera will also be installed to monitor activity at the POE. CBP officers will assist onsite as operational needs dictate.

The second building will house restroom facilities and a utility room. Improvements to utilities, including connection to the nearby potable water source, a new septic system, and connection to electrical power and communication networks will also be included.

Both buildings will meet Leadership in Energy and Environmental Design (LEED) Silver sustainability plus requirements and were designed to be architecturally compatible with the Barker Lodge, located within close proximity to the project site. The proposed action will allow for visitors to use traditional methods of crossing the river, such as wading and boating. However, driving a vehicle or riding a horse across the river will not be permitted.

Alternatives: The preferred alternative is to construct and operate a visitor contact station and Class B POE at the site of the historic Boquillas border crossing. The no action alternative is the continued closure of the historic Boquillas border crossing.

Environmental Consequences: The NPS's environmental assessment (EA) examined the effects on the natural and human environment associated with the proposed construction and operation of a visitor contact station and Class B POE located at the historic Boquillas crossing in Big Bend National Park. Separate analyses are presented for the implementation of reestablishment (preferred alternative) of the Boquillas POE and the continuation of current management (the no action alternative) of the border and the effects of such on specific resource topics. Several alternatives or actions, suggested by other agencies or the public, were not examined in the EA because their inclusion fell outside of the project scope.

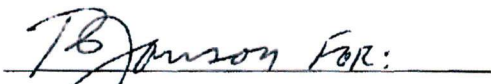
The EA determined that the preferred alternative will result in short-term to long-term negligible to minor adverse impacts on some of the park's resources, which include water resources; floodplains; wild and scenic rivers; water resources; soils and vegetation; and wildlife and wildlife habitat, including threatened and endangered species. The majority of adverse effects will be short-term and will not extend beyond the construction period.

Mitigation measures have been designed to minimize adverse effects. The preferred alternative at the historic Boquillas crossing, is also the environmentally preferred alternative. The environmentally preferred alternative is defined as "the alternative that will best promote the national environmental policy as expressed in the *National Environmental Policy Act's* Section 101 of NEPA; or commonly interpreted as the alternative that causes the fewest adverse effects on physical, biological, and cultural resources.

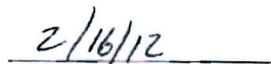
After consideration of public comments throughout the scoping and planning process, careful review of potential resource and visitor impacts, and the development of appropriate mitigation to protect resources, the preferred alternative best strikes a balance between the widest range of use and enjoyment of the park without degradation of the environment or risk to health and safety.

Finding: CBP has reviewed the NPS's EA and concluded that it encompasses all components of the Boquillas border crossing, including CBP operations of the POE. Thus, in accordance with applicable agency policies and Council on Environmental Quality regulations (40 C.F.R. § 1506.3), CBP adopts the, *Boquillas Crossing Visitor Contact Station Environmental Assessment*.

Based upon an independent analysis and review of the NPS EA, and CBP's adoption of it pursuant to 40 C.F.R. § 1506.3, CBP has determined that the Proposed Action will not have a significant effect on the environment. Therefore, no additional NEPA documentation for the Proposed Action is warranted.



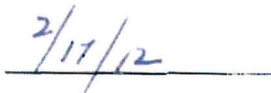
Karl H. Calvo
Executive Director
Facilities Management and Engineering
U.S. Customs and Border Protection



Date



Colleen Manaher
Director
Land Border Integration
U.S. Customs and Border Protection



Date

**National Park Service
U.S. Department of the Interior**

**Big Bend National Park
Brewster County, Texas**



BOQUILLAS CROSSING VISITOR CONTACT STATION FINDING OF NO SIGNIFICANT IMPACT

JUNE 2011

The National Park Service (NPS) has prepared an environmental assessment for the proposal to construct a visitor contact station in Big Bend National Park (the park) to provide opportunities for visitor understanding of historical and current international connections, travel, and use of protected areas on either side of the Rio Grande. The visitor contact station will also house equipment necessary to permit the facility to function as a Class B port of entry (POE) between the United States and Mexico. The inclusion of such technology will facilitate the re-opening of the historic border crossing at Boquillas within Big Bend National Park, which was closed by the U.S. Department of Homeland Security (DHS) in the aftermath of the events of September 2001.

The environmental assessment (EA) evaluates two alternatives: the no action alternative (continued current management) and the action alternative (the preferred alternative for the construction and operation of a visitor contact station at the historic Boquillas crossing). Under the no action alternative, the project area would remain closed to vehicular traffic and continue to be an area of low visitor use given its remote location within the park.

The preferred alternative will reestablish the Rio Grande crossing near Boquillas by constructing and operating a visitor contact station that provides visitor information and supports safe and secure international crossings of the Rio Grande. This new facility and re-established border crossing are intended to increase opportunities for visitors, scientists, researchers, and park and protected area managers to enter Mexico. It will also permit Mexican nationals with appropriate documentation to enter the United States to purchase goods and services and to visit friends and family living in nearby West Texas towns. Visitors to Boquillas will be able to purchase handicrafts from local residents, a traditional activity that has not been enjoyed since the border crossing closed. Interpretative programs and educational opportunities specific to the natural resources, natural processes, human history and current cultures found in the bi-national area will be available. Ecotourism activities will be available on the Mexican side of the Rio Grande at this location. The visitor contact station site area will be open to vehicular traffic.

This document records 1) a Finding of No Significant Impact as required by the National Environmental Policy Act of 1969 and 2) a determination of no impairment as required by the NPS Organic Act of 1916.

PREFERRED ALTERNATIVE

The preferred alternative (selected action) includes the construction and operation of a visitor contact station and Class B POE. The facilities will be located in two adjacent buildings totaling approximately 1,620 sq. ft. The first building will house visitor services, including a lobby and staff area, and the Class B POE. The POE will consist of two document scanning kiosk areas, and two support rooms for a local area network and mechanical/electrical equipment. The second building will house restroom facilities and a utility room. Improvements to utilities, including connection to the nearby potable water source, a new septic system, and connection to electrical power and communication networks will also be included. Overall, portion of the

project area that will be disturbed during construction is approximately 20,000 square feet (just under ½ acre). This includes both the siting of the visitor contact station and supporting utilities.

Both buildings will meet Leadership in Energy and Environmental Design (LEED) Silver sustainability plus requirements and were designed to be architecturally compatible with the Barker Lodge, located within close proximity to the project site. Under the preferred alternative, traditional methods, such as wading and boating, used to cross the river will be permitted. Driving a vehicle or riding a horse across the river will not be permitted.

MITIGATION MEASURES

The NPS places a strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. To help ensure the protection of natural and cultural resources and the quality of the visitor experience, the NPS will ensure that protective measures are implemented as part of the preferred alternative. The NPS will implement an appropriate level of monitoring throughout the construction process to help ensure protective measures are properly executed and achieving their intended results. These resource protection measures are listed in Table 1, attached at the end of this document.

ALTERNATIVES CONSIDERED

Alternatives considered included 1) the continued closure of the Boquillas crossing and; 2) the construction and operation of the visitor station and Class B POE at the historic Boquillas crossing (the preferred alternative).

The preferred alternative, construction and operation of the visitor contact station and Class B POE at the historic Boquillas crossing, is also the environmentally preferred alternative. The environmentally preferred alternative is the alternative that will promote national environmental policy as expressed by §101 of the National Environmental Policy Act. This includes alternatives that:

- Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- Ensure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences;
- Preserve important historic, cultural, and natural aspects of our national heritage and maintains, wherever possible, an environment that supports diversity and variety of individual choice;
- Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities; and
- Enhance the quality of renewable resources and approaches the maximum attainable recycling of depletable resources.

The preferred alternative will best meet the first five criteria mentioned above. The following demonstrates how these objectives will be achieved under this alternative:

The re-opening of the Boquillas crossing will help support joint U.S.–Mexico management goals for a large expanse of Chihuahuan Desert and rugged mountain ranges spanning the Rio Grande. The United States and Mexico have shared resource protection objectives for this area, which are identified in the mission

statement of the Big Bend–Rio Bravo Project. The establishment of the Class B POE will facilitate effective crossings in support of these resource protection goals.

Establishing a Class B POE with camera monitoring capabilities will help protect this part of the United States–Mexico international border. Remote technology will be used to maintain security and verify the identity of those entering the United States by ensuring people have appropriate documentation such as passports, visas, and crossing cards. Additionally, NPS staff indicates the formal crossing will improve communications between park rangers, other staff of protected areas and local communities, and infrastructure will help to limit criminal activities along this stretch of the Rio Grande. The ability for park visitors, staff, and researchers to legally pass into Mexico at this location will help restore a historic and culturally significant use of the river. Such passage will facilitate enhance esthetic and cultural opportunities.

The facilitation of new and enhanced visitor opportunities while 24-hour camera monitoring of the crossing area, installation of a Class B POE, and presence of NPS staff will minimize threats to resources and public safety at the site.

The preferred alternative will help protect and conserve the fragile desert ecosystem located on either side of the United States–Mexico international boundary. Additionally, this alternative is not anticipated to induce residential development or increase the cost of living for communities in and around the park. However, this alternative is expected to increase visitor patronage to the southernmost portions of the park, such as Rio Grande Village and Boquillas. Such a change in visitation will result in increased spending at local concessionaires within the park and in establishments in Boquillas that provide food, refreshment, and local handicrafts. The re-opening of the international boundary will facilitate the sharing of resources and life amenities between and among visitors and communities on either side of the Rio Grande.

Because the preferred alternative includes the construction of the visitor contact station and Class B POE a certain amount of mined materials and fossil fuels will be utilized. Mined materials will be included in building materials and fossil fuels will be used to power construction equipment. Because no construction activities will occur under the no action alternative, it best meets the goals of the sixth NEPA objective. However, the use of mined materials and fossil fuels will be minimal given the small size of the preferred alternative and inclusion of energy- and resource-saving measures required under LEED Silver certification.

After consideration of public comments throughout the scoping and planning process, careful review of potential resource and visitor impacts, and the development of appropriate mitigation to protect resources, the preferred alternative best strikes a balance between the widest range of use and enjoyment of the park without degradation of the environment or risk to health and safety.

WHY THE PREFERRED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined in 40 CFR §1508.27 from the CEQ regulations that implement the provisions of NEPA, significance is determined by examining the following criteria:

Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

Limited, localized, and adverse impacts are associated with the preferred alternative. Mitigation measures have been designed to minimize adverse effects. The majority of adverse effects will be short-term and will not extend beyond the construction period. Adverse effects are identified below:

Wild and Scenic Rivers – During construction of the visitor contact station, construction equipment may be visible from the river. Some aspects of the visitor contact station may be visible from the Rio Grande;

however, views of the visitor contact station from the river will be obstructed by natural terrain. Visitors will access the project site via the existing closed road. Depending on one's location on the river, vehicles entering the project area may be visible.

The removal of existing riprap will improve water flow and free the shoreline of impediments. This will result in a long-term, site-specific, beneficial impact. The construction of the visitor contact station is anticipated to increase the number of visitors crossing the Rio Grande at Boquillas. Due to the subjective nature of scenic values combined with the fact that the crossing will be reverted to its historical use, the increased cultural appeal of the area will result in long-term beneficial impacts.

Water Resources – Construction activities associated with the preferred alternative, primarily grading and excavation, require water to prevent excessive dust. Water will also be used for personal use by the construction staff, which will result in a slight increase in water use in the short-term.

The increase of visitors to the Boquillas area because of the re-opened border crossing will place additional demand on the existing water supply. However, the implementation of water conservation methods, including the installation of a rain water collection system for irrigation use, low-flow toilets and other fixtures, will limit demand to historic use rates.

The use of a chlorine booster station will work to improve low chlorine residual concentrations of water near Berkley Cottage to levels of 0.2 mg/liter as mandated by the Groundwater Rule administered by the Texas Commission of Environmental Quality, resulting in long-term beneficial impacts to potable water quality.

Floodplains – The construction of the visitor contact station and associated utilities will not measurably change the ability of the site to disperse flood flows and energy, or alter floodplains functions of the site. The project area is located on the edge of the mapped 100-year floodplain, but park records do not indicate that this area is subject to inundation – even during the record high flood event of 2008. Other project components, such as a trail to the river and gravel parking area, would not interfere with floodplain function, or exacerbate upstream or downstream flooding.

During construction, the use of silt fencing will protect the project area from soil erosion and sediment control, and when combined with the relatively small size of the visitor contact station, its proposed location which is potentially on the edge of the 100-year floodplain, and anticipated rare occurrence of flows reaching the site, the result of construction will be long-term and negligible.

Soils – During construction activities, the soil structure within the construction footprint will be disturbed and modified, and soils will be exposed, increasing the overall potential for erosion. Resource protection measures will include the employment of best management practices (BMPs), including the use of silt fencing to prevent and control soil erosion and sedimentation during construction of the preferred alternative. Construction activities will also adhere to an approved erosion and sediment control plan. Soils disturbed within the proposed construction area will be actively reseeded to stabilize the soil, repair compaction, and/or improve soil productivity.

Impacts will be limited to the site of the visitor contact station, parking lot, existing trail, overlook and utility locations. In these areas, soils are generally previously disturbed and filled with nonnative soils. Further disturbance to these areas will result in long-term, negligible, adverse impacts. The use of asphalt for ADA accessible parking and associated access aisle will produce limited increases in the amount of impervious surface.

Vegetation – The construction of the preferred alternative will generally occur in previously disturbed areas with little to no vegetation. However, construction activities will require the removal of any vegetation found within the development footprint. Similarly, the proposed site of the water line trench will occur on

lands that are primarily void of vegetation. To limit disturbance to vegetation in the proposed project area and to manage soil erosion and sediment during construction activities, BMPs including silt fencing will be used. Vegetation removed within the construction area will be replanted.

Wildlife – The majority of land associated with the preferred alternative is previously disturbed and will therefore avoid substantial alteration of the landscape and associated habitats. Construction activities will result in short-term minor adverse impacts on wildlife and wildlife habitat from species displacement and habitat disturbance. Additionally, areas used for equipment staging and storage could result in temporary disturbance and fragmentation of native habitat.

Over the long-term, the presence of the visitor contact station will result in minor adverse impacts to wildlife and wildlife habitat from potential species displacement and habitat fragmentation. Additionally, the increased presence of visitors in the area could disrupt wildlife, contributing to adverse impacts. Although the park is open 24 hours a day, the proposed hours of operation of the Class B POE and visitor station will be primarily limited to daylight hours. Therefore, adverse impacts that could result from visitor presence will be reduced in the evening and early morning, when nocturnal species are most active.

Additional disturbance will occur from the trimming and removal of some vegetation to improve visibility of the trail from the river. Because the majority of vegetation will be retained, including mature trees along the access trail, adverse impacts to native wildlife habitat will likely be short-term and minor. Because of the shallow depth of the river and its historic use at the Boquillas crossing, impacts to aquatic species and habitat from river crossing will likely be long-term, minor adverse.

The degree to which the action affects public health or safety.

The preferred alternative will result in the re-opening of the existing road and project area to visitors. Not unlike other areas of the park open to visitors, the implementation of the preferred alternative puts the project area on the list of places where a visitor incident could occur. However, it is not anticipated that visitor incidents in the project area will be high given the topography of the area and low-impact activities that will occur in the project area. Additionally, the area is currently accessible to those visitors using non-motorized transport and visitor incidents are relatively low.

Public health and safety will be improved under the preferred alternative because of the installation of a 24-hour surveillance camera and other security measures not currently in place. The implementation of such will help monitor activity at the crossing by CBP agents and other law enforcement personnel.

Unique characteristics of the geographic area such as proximity to historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There are both historic and cultural resources within the park. Historic resources are not located within immediate proximity of the preferred alternative. However, there are cultural resources located within close proximity to the preferred alternative. The park archeologist, as well as Tribes associated with the park, has indicated that they do not anticipate adverse effects on cultural resources to result. Mitigation measures, such as those described in Table 1, will be implemented should cultural resources be identified during construction activities.

The preferred alternative is located adjacent to a portion of the Rio Grande protected under the Wild and Scenic Rivers Act. There may be some adverse effects during the construction of the preferred alternative; however, such effects will be minimized once in operation. The preferred alternative will be designed to be architecturally compatible with the nearby Barker House and will result in negligible adverse effects to scenic values. The re-opening on the road for vehicular traffic to the preferred alternative may result in minor adverse effects to scenic values; however, the extent of which will depend on one's location on the river and amount of vehicular traffic.

There are no prime farmlands or ecologically critical areas within close proximity to the preferred alternative. The preferred alternative will be located adjacent to but not in nearby wetland areas.

The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The preferred alternative will enhance the visitor experience as result in both social and economic benefits for residents and businesses located on either side of the Rio Grande. Additionally, the preferred alternative will facilitate stronger relations with Mexico with respect to protecting the fragile ecologic environment. The installation of 24-hour camera surveillance and CBP agents to monitor river crossings will increase public health and safety.

Twenty-four pieces of correspondence were received from members of the public during the 30-day comment period. Only one piece of correspondence included a concern that the re-opening of the crossing will result in adverse effects to public health and safety.

Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks.

As mentioned above, risks associated with the preferred alternative related to public safety and will be minor. The increased presence of visitors to the area could result in a slight increase in visitor incidents; however, such incidents are not anticipated to be significant. The installation of 24-hour camera surveillance, which will be monitored by CBP and other law enforcement personnel, will increase the safety of the area and will not result in adverse effects to the human environment.

The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

Because the preferred alternative is the second such remote POE of its type permitted, the first being along the Maine-Canada border, it is not anticipated that it will set a precedent for future actions with significant effects. No significant impacts to park resources or values will occur as a result of project implementation. The ability of the park to protect resources and support visitor high-quality visitor experiences into the future will be improved, and the project does not represent a decision in principle about a future consideration.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

Cumulative effects were analyzed in the EA and no significant effects were identified.

The degree to which the action may adversely affect items listed or eligible for listed in the National Register of Historic Places (NRHP), or other significant scientific, cultural, or historic resources.

The Texas Historical Commission, the official name of Texas' State Historic Preservation Office, signed a concurrence statement dated May 4, 2011 that no adverse effect to historic properties either listed or eligible for listing in the National Register of Historic Places would result from implementation of the preferred alternative.

Tribes with affiliation to lands within the park as well as the Texas Historical Commission and the United States Fish and Wildlife Service (USFWS) have not expressed concern regarding adverse effects to scientific, cultural, or historic resources. Construction activities will cease should sensitive cultural resources be unearthed and further evaluation can be conducted.

The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

Internal communications, both written and verbal, with the USFWS have concurred with the NPS determination that the preferred alternative is not likely to adversely affect federally- or state-listed species in the project area.

Short-term, negligible to minor adverse effects may result during construction activities which will be concentrated in a specific area. The small size of the project area and suitable habitat in adjacent areas will not adversely affect federally- and state-listed species in the long-term. The NPS will adhere to mitigation measures to minimize effects to species habitat. No further consultation under §7 of the Endangered Species Act is necessary.

Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The preferred alternative will not violate any federal, state, or local environmental protection laws.

IMPAIRMENT

Management Policies 2006 require analysis of potential effects to determine whether or not actions will impair park resources. The fundamental purpose of the National Park System, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values. National Park Service managers must always seek ways to avoid, or to minimize to the greatest degree practicable, adversely impacting park resources and values.

However, the laws do give the National Park Service the management discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, as long as the impact does not constitute impairment of the affected resources and values. Although Congress has given the National Park Service the management discretion to allow certain impacts within park, that discretion is limited by the statutory requirement that the National Park Service must leave park resources and values unimpaired, unless a particular law directly and specifically provides otherwise. The prohibited impairment is an impact that, in the professional judgment of the responsible National Park Service manager, will harm the integrity of park resources or values, including the opportunities that otherwise will be present for the enjoyment of these resources or values. An impact to any park resource or value may, but does not necessarily, constitute an impairment, but an impact will be more likely to constitute an impairment when there is a major or severe adverse effect upon a resource or value whose conservation is:

- Necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park;
- Key to the natural or cultural integrity of the park; or
- Identified as a goal in the park's general management plan or other relevant NPS planning documents.

An impact will be less likely to constitute an impairment if it is an unavoidable result of an action necessary to pursue or restore the integrity of park resources or values and it cannot be further mitigated.

The park resources and values that are subject to the no-impairment standard include:

- The park's scenery, natural and historic objects, and wildlife, and the processes and conditions that sustain them, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in

daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structures, and objects; museum collections; and native plants and animals;

- Appropriate opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing them;
- The park's role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system; and
- Any additional attributes encompassed by the specific values and purposes for which the park was established.

Impairment may result from National Park Service activities in managing the park, visitor activities, or activities undertaken by concessioners, contractors, and others operating in the park. The NPS's threshold for considering whether there could be an impairment is based on whether an action will have major (or significant) effects.

Impairment findings are not necessary for visitor use and experience, socioeconomics, public health and safety, environmental justice, land use, and park operations, because impairment findings relates back to park resources and values, and these impact areas are not generally considered park resources or values according to the Organic Act, and cannot be impaired in the same way that an action can impair park resources and values. After dismissing the above topics, topics remaining to be evaluated for impairment include paleontological resources and historic structures.

The preferred alternative will result in short-term to long-term negligible to minor adverse impacts on some of the park's resources, which include water resources; floodplains; wild and scenic rivers; water resources; soils and vegetation; and wildlife and wildlife habitat, including threatened and endangered species. However, the NPS has determined that the implementation of the NPS preferred alternative will not constitute an impairment to the resources or values in Big Bend National Park. This conclusion is based on consideration of the thorough analysis of the environmental impacts described in the EA, relevant scientific studies, comments provided by the public and others, and the professional judgment of the decision-maker guided by direction in Management Policies 2006. Implementation of the NPS selected alternative will not result in impairment of park resources or values whose conservation is (1) necessary to fulfill specific purposes identified in the park's establishing legislation, (2) key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or (3) identified in the park's management plan or other relevant NPS planning documents as being of significance.

The following provides an overview of impairment determinations for each resource topic evaluated in the EA.

WILD AND SCENIC RIVERS

In 1978, Congress designated a segment of the Rio Grande a national wild and scenic river under the *Wild and Scenic Rivers Act* (WSRA). The designated section of the Rio Grande begins in the park, opposite the boundary between the Mexican states of Chihuahua and Coahuila. It then continues through Mariscal and Boquillas canyons and ends at the county line between Terrell and Val Verde counties, Texas. The designated portion of the river within the park is 69 miles. The section from Solis to the entrance of Boquillas Canyon, which includes the proposed project area, is classified as scenic. Under the scenic classification, desired conditions and processes are mostly natural. Natural and historic landscapes are maintained as much as possible, and all values considered outstandingly remarkable are protected. This type

of classification allows for moderate carrying capacity of visitors for locations accessible in some places by roads and in other places by trails. While there are visitor use restrictions and restrictions on development, certain land-use developments are acceptable.

During construction activities associated with the proposed project, construction equipment will be present and possibly visible from the river. Therefore, scenic values in this portion of the project area will experience short-term negligible to minor adverse impacts.

The proposed visitor contact station will be designed to be architecturally compatible to the nearby Barker House, located just east from the project area. A pre-fabricated chlorine booster station will also be installed near the Berkley Cottage. The proposed visitor contact station will include solar photovoltaic panels and rainwater catchment areas. These features may be visible from the river, whereas generally views of the contact station and chlorine booster station from the river will be obstructed by natural topography and existing and planted vegetation. Because of this obstruction, the visitor contact station and chlorine booster station will have long-term, negligible adverse impacts on scenic resources. Under the action alternative, visitors will access the proposed project site via the existing closed road. Depending on one's location on the river, vehicles entering the proposed visitor contact station may be visible. The increase in vehicle traffic associated with the proposed project will result in long-term negligible to minor adverse impacts to scenic values, depending on the number of automobiles.

Due to the subjective nature of scenic values combined with the fact that the crossing will be reverted to its historical use, the increased cultural appeal of the area will result in long-term beneficial impacts to the river's scenic values.

Implementation of the preferred alternative will not appreciably change the outstandingly remarkable scenic values associated with this reach of the Rio Grande Wild and Scenic River. Although new visitor contact station could occasionally be visible from the river corridor through riparian vegetation, it is not anticipated that the majority of visitors will be aware of changes in scenic values. Because the values for which the Rio Grande was designated a Wild and Scenic River will not be measurably affected, preferred alternative will not result in impairment to wild and scenic river values.

WATER RESOURCES

The project area is located in the eastern part of the park, on the north side of the Rio Grande meander. The Rio Grande is one of a few perennial streams in the area which also includes Tornillo Creek, the springs at Rio Grande Village, and others along both the U.S. and Mexico sides of the riverbank, and up and downstream of the project area. The Deep Fault Well, located approximately ½ mile northwest of the proposed project area, currently represents the only existing source of potable drinking water for the area. The well consists of water accumulated from aquifers in the nearby area.

The estimated increase of between 18,000 and 25,000 visitor-days annually to the Boquillas area as a result of the proposed project will place additional demand on the existing water supply. Such a change in demand will be attributable to restrooms and drinking fountains implemented as part of the proposed project. With implementation of water conservation methods across the southern part of the park as identified by park staff, including the installation of a rain water collection system for irrigation use, low-flow toilets and other fixtures, the increased demand from implementation of the proposed project will not exceed historic rates resulting in no measurable effect. Additionally, water required for use in the septic tank, lift station and drainfield will not place demand on water resources that will exceed historic rates and will not contribute to water quality reduction resulting in no measureable effect.

The use of a chlorine booster station will work to improve low chlorine residual concentrations of water near Berkley Cottage to levels of 0.2 mg/liter as mandated by the Groundwater Rule administered by the Texas Commission of Environmental Quality, resulting in long-term beneficial impacts to water quality.

Because water conservation measures have been implemented to protect the groundwater resources of the Deep Fault Well, the preferred alternative will not appreciably change water demand in this part of the park. The park's commitment to provide visitor services within historic water use rates will remain in place. Because there will be no measurable changes in groundwater use, implementation of alternative B will not reduce groundwater levels, or contribute to a reduction in water quality and will continue sustainable use of this valuable resource. Therefore, the preferred alternative will not result in impairment to water resources.

FLOODPLAINS

The Federal Emergency Management Agency (FEMA) produces a Flood Insurance Rate Map (FIRM) identifying special hazard areas and risk premium zones applicable to the community. A review of the FIRM applicable to the proposed project area (community-panel number 480084 1500 B, revised on October 15, 1985) and conversations with park staff indicates the existing trail, which will be rehabilitated as part of the proposed project, is located inside the 100-year floodplain, whereas part or all of the proposed visitor contact station likely falls outside the 100-year floodplain. Newer FEMA maps are not available for the area and the site flood hazard remains undetermined.

The most significant flood in recent years occurred in 2008 because of tropical depression Lowell, which dropped extreme amounts of precipitation in the Mexican state of Chihuahua, southwest of the park. During this period, a large amount of rainwater flowed into the Rio Conchos watershed (the primary source of water in the Rio Grande as it flows through the park), resulting in the highest flows at Rio Grande Village since 1978. Normally at two to three feet, water reached 24 feet on the Rio Grande Village gauge, approximately two miles upstream of the project area. Damage within the park and nearby areas outside the park was extensive. At Rio Grande Village, the campgrounds were inundated with several feet of water, but water did not reach the store or housing area. The site of the proposed visitor contact station was not inundated during this event. The previous flood of significant size occurred in 1991.

The construction of the visitor contact station and associated utilities including propane tanks and chlorine booster station could inhibit, somewhat, the ability of the site to disperse flood flows and energy, and floodplains functions of the site will be altered. The use of silt fencing protects the project area from soil erosion and sediment control, which when combined with the relatively small size of the proposed visitor contact station and associated aspects and its proposed location on the edge of the 100-year floodplain, and anticipated rare occurrence of flows reaching the site, the result of construction will be long-term negligible and adverse. At the boundary of the 100-year floodplain, flow volumes and speeds will be low, and there will be limited potential for the structure to exacerbate upstream or downstream ponding or other flood characteristics.

Because effects to floodplain function will be limited by 1) the small size of the visitor contact station, 2) its proposed location at the edge of the 100-year floodplain, and 3) the rare occurrence of flood flows capable of reaching the project area, impacts will be localized and negligible. The floodplain in the vicinity will continue to function to disperse flood flows and energy as it has in the past. Because potential impacts will be minimal, the preferred alternative will not result in impairment to floodplain functions or values.

SOILS

Floodplain soils along the bank of the Rio Grande are loamy, which indicates they consist of finer grains of silt, clay, and sand, as well as coarser elements such as gravel reminiscent of soils typically found on a floodplain. Moving west and to higher elevations, where the visitor contact station is proposed the soils are

shallower and composed of coarser materials, such as gravel. Much of the area proposed for construction is located at and adjacent to the existing parking area which was filled to support prior uses.

The proposed project will require the disturbance of an area approximately 20,000 sq. ft. during construction activities; however, the majority of soils that will be affected by the proposed project have been previously disturbed. During construction activities, the soil layer structure will be disturbed and modified and soils will be exposed, increasing the overall potential for erosion. Resource protection measures will include the employment of BMPs, including the use of silt fencing to prevent and control soil erosion and sedimentation during construction of the proposed project. Soils disturbed within the proposed construction area will be actively reseeded to stabilize the soil, repair compaction, and/or improve soil productivity. Short-term minor adverse effects to soils will result during the construction of the proposed project.

Impacts will be limited in areas of the proposed location of the visitor contact station, parking lot, existing trail, proposed overlook and the majority of the area for utility trenching. In these areas, soils have been previously disturbed and filled with nonnative soils. Further disturbance to these areas will result in long-term negligible and adverse impacts. The use of asphalt for ADA accessible parking and associated access aisle will increase the amount of impervious surface. The small scale of asphalt usage and the allowance of water runoff to sheetflow offsite will result in no effect from the use of impervious surfaces.

The installation of a new septic system and leach field will require the use of class 1b soils suitable for use in a drainfield. These soils will be used as 2-foot thick buffers, placed below and on all sides of the drainfield, topped with one foot of native soil. This action permanently modifies the soil structure within the drainfield, but the site will retain the capability to support native vegetation and when combined with possible biological or chemical alterations to soils from leaks and materials present results in site-specific long-term negligible adverse impacts.

The removal of the existing riprap in the river and the use of temporary portable walking surfaces will decrease the potential for erosion along the riverbank, also resulting in long-term beneficial impacts.

Because effects to soil resources will be concentrated in previously disturbed and filled areas, and disturbed soils will not lose their ability to support native vegetation in the future, long-term impacts to soils resource will be limited, the preferred alternative will not result in impairment to the park's soils resources.

VEGETATION

Two vegetation types (floodplain/upland riparian and desert shrub) are present within the project area. However, because much of the proposed project area has previously been disturbed or filled, vegetation is sparse and, in certain locations, was absent for decades.

The construction of the proposed elements under the preferred alternative will occur in previously disturbed areas with little to no vegetation. However, construction activities will require the removal of any vegetation found in the construction footprint. To limit disturbance to vegetation in the proposed project area and to manage soil erosion and sediment during construction activities, BMPs including silt fencing will be used. Vegetation removed within the proposed construction area will be replanted. Providing access to the Rio Grande includes reduction of the trail width from 12 feet to 6 feet, providing a limited benefit to adjacent vegetation. Impacts to vegetation from these components of the proposed action will be localized, short-term, and negligible.

The septic system drainfield and lift house will be located in previously undisturbed uplands just west of the visitor contact station. Installation of the 64-foot by 31-foot drainfield, lift station and septic tank will require the removal of existing vegetation and soils. Subsequent site rehabilitation will include use of native soils and vegetation. The operation of the leach field will support native vegetation on the site. The effects of the drainfield on vegetation will be localized, short-term, minor, and adverse.

Because much of the proposed project area is previously disturbed, there will be minimal impacts to existing vegetation. Vegetation and vegetative communities outside the proposed project area will not be affected by the proposed project. Habitats in the project area will continue to be dominated by native plants, and this will continue into the future. Because long-term changes in vegetation are not expected and short-term impacts are very limited, the preferred alternative will not result in impairment of the park's vegetation resources.

WILDLIFE AND WILDLIFE HABITAT, INCLUDING THREATENED AND ENDANGERED SPECIES

WILDLIFE

Construction activities associated with the proposed project will result in short-term minor adverse impacts on wildlife and wildlife habitat from species displacement and habitat disturbance. The impacts of equipment staging and storage sites on wildlife and wildlife habitat will likely be short-term negligible to minor adverse.

The presence of the visitor contact station will result in long-term minor adverse impacts to wildlife and wildlife habitat from potential species displacement. Additionally, the increased presence of visitors in the area could disrupt wildlife, contributing to adverse impacts. Although the park is open 24 hours a day, the proposed hours of operation of the visitor station will be primarily limited to daylight hours. Therefore, adverse impacts that could result from visitor presence will be reduced in the evening and early morning, when nocturnal species are most active.

Because of the shallow depth of the river, impacts to aquatic species and habitat from river crossing will likely be long-term minor adverse. Removal of the degraded riprap at the edge of the river will require the use of heavy machinery and will generate release sediment upon removal. Therefore, localized, short-term minor to moderate adverse impacts will result from disturbance of habitat and potential mortality of fish and aquatic invertebrates in the immediate vicinity. There is a possibility that a minor loss of minnow habitat will occur with removal of the riprap; however, the impacts will be short-term negligible adverse because widespread suitable habitat occurs throughout the area, and impacts will have no effect on populations. The long-term impacts of removing the riprap will be beneficial as a more natural river / bank integration will be restored, which benefits native aquatic species.

The proposed project will result in localized short-term negligible to minor adverse impacts on native wildlife and wildlife habitat during implementation of management actions. However, following construction activities, the presence of the contact visitor station will likely result in long-term minor adverse impacts from visitor presence and minor habitat fragmentation.

The project area (less than 20,000 sq. ft.) represents only a small fraction of the 800,000 acres of wildlife habitat found in Big Bend National Park. Although wildlife species will be disturbed – over the short and long-term – by implementation of the preferred alternative, effects to habitats will be small and localized. Suitable habitats will continue to be available adjacent to the project area for both terrestrial and aquatic species. Therefore, implementation of the preferred alternative will not result in impairment of wildlife and wildlife habitat resources in the park.

FEDERALLY-LISTED SPECIES

The Deep Fault Well produces water from the aquifer that is also the source of water for Spring 4 in Rio Grande Village, which provides habitat for the Big Bend mosquitofish. Although using Deep Fault Well as the water source for the visitor contact station could indirectly affect habitat for this species, the proposed potable water system combined with water protection measures to be implemented by the park are designed to ensure that water use does not exceed historic levels. Therefore, implementation of proposed project is *not likely to adversely affect* the Big Bend mosquitofish.

The Rio Grande silvery minnow requires low-velocity habitats with sandy and silty substrate generally associated with river side channels, oxbows, and backwaters (73 FR 74359). It is possible that silvery minnow habitat will be affected by the opening of the Boquillas crossing and the removal of riprap proposed under alternative B. Although the presence of this species is confirmed along this stretch of the Rio Grande, it is questionable whether this species inhabits the pools in the river created by the riprap. Effects associated with the removal of riprap and the opening of the Boquillas crossing on the silvery minnow will be difficult to detect or evaluate, and will be discountable. Additionally, sufficient habitat exists along the Rio Grande where this species will be able to relocate if necessary. Therefore, implementation of the proposed project is *not likely to adversely affect* the Rio Grande silvery minnow. The yellow-billed cuckoo is a confirmed nesting species in the park and is known to breed in riparian habitats with cottonwoods and willows. Although riparian habitat exists in the project area, dense understory foliage is not characteristic of the area, which appears to be an important factor in nest site selection for this bird. Because this species winters in South America, it is anticipated that the cuckoo will not experience adverse effects from construction activities which are scheduled to occur during this time. The implementation of the proposed project could result in habitat avoidance and disturbance of nesting and foraging activities for the yellow-billed cuckoo. However, suitable nesting habitat exists for this species in widespread areas of the Rio Grande floodplain, including nearby Rio Grande Village. Therefore, implementation of alternative B is not expected to result in detectable impacts to the yellow-billed cuckoo, and impacts will be discountable, resulting in a *not likely to adversely affect* Section 7 finding for this species.

The Texas hornshell mussel normally lives in narrow areas of rivers and streams with travertine bedrock and fine-grained sand, clay or gravel on the bottom. Although the existing riprap provides potential habitat for the Texas hornshell, this species is considered sparse in the Rio Grande and populations have not been confirmed in the area. It is possible that injury or mortality to one or two individuals may occur during removal of the riprap; however, impacts at the population level will be discountable. Therefore, implementation of the proposed project is *not likely to adversely affect* the Texas hornshell mussel.

Wildlife disturbance and very limited habitat loss and avoidance are possible under the proposed project, and impacts to populations will be discountable. Implementation of the proposed project is not likely to adversely affect federally-listed species in the project area. Therefore, implementation of the preferred alternative will not result in impairment of species listed under, or candidates for listing under the Endangered Species Act.

STATE-LISTED SPECIES

As described for wildlife and wildlife habitat, construction activities associated with the visitor contact station will result in localized, short-term negligible to minor adverse impacts on state-listed species from potential displacement and habitat disturbance. Short-term adverse impacts will likely be negligible for state-listed fish and invertebrate species as their habitat will not be affected by construction activities associated with the proposed project.

Grading of the access road and parking lot could result in temporary disturbance to the state-listed reticulated gecko and Trans-Pecos black-headed snake. Adverse impacts will likely be short-term and negligible due to the rarity of such species and previous disturbance of these areas. Similarly, because there will be no new land disturbance, construction of a walking trail to the top of the hill just south of the proposed visitor station will result in short-term negligible adverse impacts on state-listed wildlife species. Grading of the existing trail from the parking lot of the visitor contact station to the river will result in short-term negligible adverse impacts on state-listed species because of existing disturbance to the area. However, additional disturbance will occur from the trimming and removal of some vegetation to improve visibility of the trail from the river. Because the majority of vegetation will be retained, including mature trees along the access trail, adverse impacts to state-listed species will likely be short-term and minor.

The potential species displacement and habitat fragmentation from operation of the proposed project will result in long-term minor adverse impacts to state-listed birds, mammals, and reptiles associated with the area. Additionally, the increased presence of visitors in the area could disrupt sensitive birds hunting the river corridor, contributing to adverse impacts. Although the park is open 24 hours a day, the proposed hours of operation of the proposed project will be primarily limited to daylight hours. Therefore, adverse impacts that could result from visitor presence will be reduced in the evening and early morning, when the spotted bat, reticulated gecko, and Trans-Pecos black-headed snake are most active.

As described for wildlife and wildlife habitat, impacts to aquatic state-listed species from river crossing will likely be long-term minor adverse because of the shallow depth of the river at the crossing and its historic use. The use of temporary, mobile, walking surfaces when conditions are muddy will reduce the potential for erosion along the riverbank, resulting in long-term benefits to habitat along the river. Removal of the degraded riprap at the edge of the river will result in localized, short-term minor to moderate adverse impacts from disturbance of habitat and potential mortality of fish and aquatic invertebrates in the immediate vicinity.

There is a possibility that a minor loss of minnow habitat will occur with removal of the riprap; however, the impacts will be short-term negligible adverse because widespread suitable habitat occurs throughout the area, and impacts will have no effect on populations. The long-term impacts of removing the riprap will be beneficial as a more natural river / bank integration will be restored, which benefits native aquatic species.

Wildlife disturbance and very limited habitat loss and avoidance are possible under the proposed project, and impacts to state-listed species will also be limited. Implementation of the proposed project will not affect local population levels or result in long-term disturbance of large areas of habitat. Therefore, implementation of the preferred alternative will not result in significant adverse effects.

PUBLIC INVOLVEMENT

The EA was made available for public review and comment during a 30-day period ending June 4, 2011. A total of 24 responses were received. All but one letter, signed by two individuals, clearly state support for the preferred alternative.

This total includes 1 letter from agencies (International Boundary and Water Commission), 1 letter from Tribal governments (Kickapoo Traditional Tribe of Texas), and 22 individual letters. Of the 24 responses, 20 were from Texas residents or organizations.

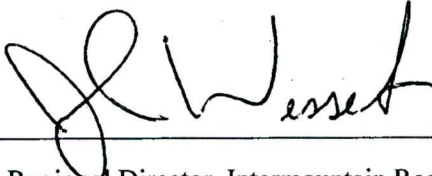
Substantive comments to the EA centered on components of the preferred alternative. Two substantive comments regarding content of the alternatives were received. The first proposes the closure of the border crossing to be later in the evening, closer to the time the sun sets. The second questions allowable methods to cross the river. Responses to substantive comments are included in the attached errata.

CONCLUSION

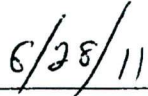
As described above, the preferred alternative does not constitute an action meeting the criteria that normally require preparation of an environmental impact statement (EIS). The preferred alternative will not have a significant effect on the human environment. Environmental impacts that could occur are limited in context and intensity, with generally adverse impacts being negligible to minor during construction and negligible in the long-term. There are no unmitigated adverse effects on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the action will not violate any federal, state, or local environmental protection law. The preferred alternative is also the environmentally preferred alternative.

Based on the foregoing, it has been determined that an EIS is not required for this project and thus will not be prepared.

Approved:



Regional Director, Intermountain Region



Date

Table 1: Resource Protection Measures

Resource Category/Action	Responsible Party
Public Health and Safety	
<p>An accident prevention plan, which will include job hazard analyses associated with construction of the proposed project, will be required. The plan will address:</p> <ul style="list-style-type: none"> • Fires • Power outages • Rain • Windstorms • Nature of the construction work • Site conditions • Required project inspections and safety meetings. 	Construction Contractor
<p>Visitor safety will be ensured day and night by fencing of the construction limits of the proposed project, including the walking trail. Appropriate barriers will be established at the entry road access off the main highway. Because the Boquillas crossing is currently closed, it is not anticipated visitors will be frequenting areas near the proposed project site.</p>	Construction Contractor
<p>All trucks hauling construction materials, demolition debris and other loose materials that could spill onto paved surfaces will be covered or will maintain adequate freeboard.</p>	Construction Contractor
Visitor Experience	
<p>Specific provisions will be followed, to minimize adverse effects on visitors:</p> <ul style="list-style-type: none"> • The majority of material deliveries will be made and disruptive work will be done during the week, rather than on weekends or holidays, and early morning or late evening construction work will be encouraged (i.e., before and after peak visitation periods) • The contractor will be encouraged to deliver the majority of materials in the early morning hours (before 10:00 a.m.) • Paved areas used for vehicular and pedestrian movements will be kept clean of construction debris and soils, as necessary. 	Construction Contractor
<p>Information about construction activities will be made available at visitor centers inside and outside the park.</p>	NPS
Cultural Resources – Archeology, Historic Structures, and Cultural Landscapes	
<p>A meeting will be held with the park archeologist to discuss area historic resources, clarify construction schedules, and establish a plan for archeological monitoring of ground-disturbing site work, including:</p> <ul style="list-style-type: none"> • Clearing • Topsoil removal • Trench excavation • Landscaping • Construction of facilities. <p>However, because much of the area was previously disturbed, it is not anticipated such resources will be encountered during construction of the proposed project.</p>	NPS and Construction Contractor
<p>If prehistoric or historic archeological resources are discovered at any time during the construction of the proposed project, work in the area associated with the find will cease until evaluated by the park archeologist or designated representative, and procedures outlined in 36 CFR 800 will be followed, potentially including relocation of the work to a non-sensitive area to avoid further disturbance to the site until the significance of the find can be evaluated.</p>	NPS and Construction Contractor
<p>Discovered resources will be evaluated for their potential National Register of Historic Places significance, and, if needed, mitigation measures will be developed in consultation with the Texas State Historic Preservation Officer. Mitigation measures will be cognizant of resource significance and preservation needs, and could include such provisions as changes in project design and/or archeological monitoring of the project and data recovery conducted by an archeologist meeting Secretary of the Interior standards.</p>	NPS

Table 1: Resource Protection Measures

Resource Category/Action	Responsible Party
<p>To reduce unauthorized collecting from areas,</p> <ul style="list-style-type: none"> • Construction personnel will be educated about the need to protect any cultural resources encountered • Work crews will be instructed of the illegality of collecting artifacts on federal lands (<i>Archeological Resources Protection Act</i>) • In advance of ground disturbing activities, instructions will be given regarding respectful treatment of human remains, and notification of the appropriate personnel in the event such remains are discovered. 	NPS and Construction Contractor
<p>To minimize ground disturbance, all staging areas, materials stockpiling, vehicle storage, batch plant(s), and other construction-related facilities and areas will be located in a previously disturbed area or on hardened surfaces.</p>	NPS and Construction Contractor
<p>If park staff find it necessary to revegetate disturbed upland areas, such efforts will include:</p> <ul style="list-style-type: none"> • Use of native plants • Modern techniques that create sustainable trail and landscape designs compatible with the historic architectural style of the Barker House • Stockpiling and reuse of existing materials. 	NPS and Construction Contractor
Wildlife, including Threatened and Endangered Species	
<p>Construction workers will be educated about:</p> <ul style="list-style-type: none"> • The dangers of intentional or unintentional feeding of park wildlife • Inadvertent harassment through observation or intentional pursuit • The need for workers to remain within the construction staging area. 	NPS
Night Sky	
<p>NPS Night Sky policy applies to this project and will be enforced during construction activities.</p>	NPS
<p>Night lighting will be minimized during and after construction. Where night lighting is necessary, lighting will be designed as minimal, directed downward, and shielded.</p>	Construction Contractor
Air Quality	
<p>To the degree possible, impacts to air quality will be mitigated by:</p> <ul style="list-style-type: none"> • Reducing vehicle emissions by keeping equipment properly tuned and maintained in accordance with manufacturers' specifications, and not allowing engines to idle • Use of best management practices (BMPs) to reduce generation of dust • Limiting the types of chemicals (low volatile organic compound ratings) used in new construction and rehabilitation work • Reducing trip generation by encouraging carpooling and shipment of full loads only. 	Construction Contractor
<p>Any treated wood will comply with standard conditions approved by the Western Wood Preservers Institute that minimize impacts on air quality (currently only wood treated with alkaline copper quaternary ammonium compound is approved for NPS projects).</p>	Construction Contractor
Natural Soundscape	
<p>To the extent possible, all on-site noisy construction work above 76 A-weighted decibels (dBA) (such as the operation of heavy equipment) will be done during daylight hours.</p>	Construction Contractor
<p>Standard noise abatement measures will include the following elements:</p> <ul style="list-style-type: none"> • All construction equipment will be equipped with mufflers kept in proper operating conditions • Equipment will be shut off rather than allowed to idle • Scheduling will be designed to minimize impacts on adjacent noise-sensitive areas • Use of hydraulically or electrically powered impact tools when feasible • Location of stationary noise sources as far from sensitive public use areas as possible. 	Construction Contractor

Table 1: Resource Protection Measures

Resource Category/Action	Responsible Party
Soils and Vegetation	
<p>To minimize the disturbance of soils and vegetation in the construction staging area, particularly those lands where the proposed project will be sited, the following mitigation measures will be implemented:</p> <ul style="list-style-type: none"> • All mature trees identified for removal will be flagged before the start of construction, in consultation with a park plant ecologist and/or historical landscape architect • Construction limits will be fenced before beginning any work under the proposed contract until completion of the contract to ensure no additional disturbance from construction activities will result. 	NPS and Construction Contractor
<p>To protect the viability of the vegetation in the project area, the following measures will be taken:</p> <ul style="list-style-type: none"> • Excavated fill or disturbed soils will be tamped back into place • Imported soils and other materials (including quarry rock or straw bales) will be certified weed free and are subject to inspection • Erosion control will be in the form of sterile matting, to preclude introduction of nonnative species. 	NPS and Construction Contractor
Water Resources and Wetlands	
<p>To prevent soil from eroding and depositing into water sources:</p> <ul style="list-style-type: none"> • Any stored topsoil or fill material will be surrounded by silt fencing and overtopped by semipermeable matting anchored together to prevent siltation from heavy runoff during rainstorms • Adequate erosion control or drainage structures will be installed and maintained • Materials will be stockpiled in areas exhibiting signs of disturbance (bare ground or fill material). 	Construction Contractor
<p>An adequate hydrocarbon spill containment system will be available on site in case of unexpected spills in the project area.</p>	Construction Contractor
Resource Category/Action	Responsible Party
Public Health and Safety	
<p>An accident prevention plan, which will include job hazard analyses associated with construction of the proposed project, will be required. The plan will address:</p> <ul style="list-style-type: none"> • Fires • Power outages • Rain • Windstorms • Nature of the construction work • Site conditions • Required project inspections and safety meetings. 	Construction Contractor
<p>Visitor safety will be ensured day and night by fencing of the construction limits of the proposed project, including the walking trail. Appropriate barriers will be established at the entry road access off the main highway. Because the Boquillas crossing is currently closed, it is not anticipated visitors will be frequenting areas near the proposed project site.</p>	Construction Contractor
<p>All trucks hauling construction materials, demolition debris and other loose materials that could spill onto paved surfaces will be covered or will maintain adequate freeboard.</p>	Construction Contractor
Visitor Experience	
<p>Specific provisions will be followed, to minimize adverse effects on visitors:</p> <ul style="list-style-type: none"> • The majority of material deliveries will be made and disruptive work will be done during the week, rather than on weekends or holidays, and early morning or late evening construction work will be encouraged (i.e., before and after peak visitation periods) • The contractor will be encouraged to deliver the majority of materials in the early morning hours (before 10:00 a.m.) • Paved areas used for vehicular and pedestrian movements will be kept clean of construction debris and soils, as necessary. 	Construction Contractor

Table 1: Resource Protection Measures	
Resource Category/Action	Responsible Party
Information about construction activities will be made available at visitor centers inside and outside the park.	NPS
Cultural Resources – Archeology, Historic Structures, and Cultural Landscapes	
<p>A meeting will be held with the park archeologist to discuss area historic resources, clarify construction schedules, and establish a plan for archeological monitoring of ground-disturbing site work, including:</p> <ul style="list-style-type: none"> • Clearing • Topsoil removal • Trench excavation • Landscaping • Construction of facilities. <p>However, because much of the area was previously disturbed, it is not anticipated such resources will be encountered during construction of the proposed project.</p>	NPS and Construction Contractor
If prehistoric or historic archeological resources are discovered at any time during the construction of the proposed project, work in the area associated with the find will cease until evaluated by the park archeologist or designated representative, and procedures outlined in 36 CFR 800 will be followed, potentially including relocation of the work to a non-sensitive area to avoid further disturbance to the site until the significance of the find can be evaluated.	NPS and Construction Contractor
Discovered resources will be evaluated for their potential National Register of Historic Places significance, and, if needed, mitigation measures will be developed in consultation with the Texas State Historic Preservation Officer. Mitigation measures will be cognizant of resource significance and preservation needs, and could include such provisions as changes in project design and/or archeological monitoring of the project and data recovery conducted by an archeologist meeting Secretary of the Interior standards.	NPS
<p>To reduce unauthorized collecting from areas,</p> <ul style="list-style-type: none"> • Construction personnel will be educated about the need to protect any cultural resources encountered • Work crews will be instructed of the illegality of collecting artifacts on federal lands (<i>Archeological Resources Protection Act</i>) • In advance of ground disturbing activities, instructions will be given regarding respectful treatment of human remains, and notification of the appropriate personnel in the event such remains are discovered. 	NPS and Construction Contractor
To minimize ground disturbance, all staging areas, materials stockpiling, vehicle storage, batch plant(s), and other construction-related facilities and areas will be located in a previously disturbed area or on hardened surfaces.	NPS and Construction Contractor
<p>If park staff find it necessary to revegetate disturbed upland areas, such efforts will include:</p> <ul style="list-style-type: none"> • Use of native plants • Modern techniques that create sustainable trail and landscape designs compatible with the historic architectural style of the Barker House • Stockpiling and reuse of existing materials. 	NPS and Construction Contractor
Wildlife, including Threatened and Endangered Species	
<p>Construction workers will be educated about:</p> <ul style="list-style-type: none"> • The dangers of intentional or unintentional feeding of park wildlife • Inadvertent harassment through observation or intentional pursuit • The need for workers to remain within the construction staging area. 	NPS
Night Sky	
NPS Night Sky policy applies to this project and will be enforced during construction activities.	NPS
Night lighting will be minimized during and after construction. Where night lighting is necessary, lighting will be designed as minimal, directed downward, and shielded.	Construction Contractor
Air Quality	

Table 1: Resource Protection Measures

Resource Category/Action	Responsible Party
<p>To the degree possible, impacts to air quality will be mitigated by:</p> <ul style="list-style-type: none"> • Reducing vehicle emissions by keeping equipment properly tuned and maintained in accordance with manufacturers' specifications, and not allowing engines to idle • Use of best management practices (BMPs) to reduce generation of dust • Limiting the types of chemicals (low volatile organic compound ratings) used in new construction and rehabilitation work • Reducing trip generation by encouraging carpooling and shipment of full loads only. 	<p>Construction Contractor</p>
<p>Any treated wood will comply with standard conditions approved by the Western Wood Preservers Institute that minimize impacts on air quality (currently only wood treated with alkaline copper quaternary ammonium compound is approved for NPS projects).</p>	<p>Construction Contractor</p>
<p>Natural Soundscape</p>	
<p>To the extent possible, all on-site noisy construction work above 76 A-weighted decibels (dBA) (such as the operation of heavy equipment) will be done during daylight hours.</p>	<p>Construction Contractor</p>
<p>Standard noise abatement measures will include the following elements:</p> <ul style="list-style-type: none"> • All construction equipment will be equipped with mufflers kept in proper operating conditions • Equipment will be shut off rather than allowed to idle • Scheduling will be designed to minimize impacts on adjacent noise-sensitive areas • Use of hydraulically or electrically powered impact tools when feasible • Location of stationary noise sources as far from sensitive public use areas as possible. 	<p>Construction Contractor</p>
<p>Soils and Vegetation</p>	
<p>To minimize the disturbance of soils and vegetation in the construction staging area, particularly those lands where the proposed project will be sited, the following mitigation measures will be implemented:</p> <ul style="list-style-type: none"> • All mature trees identified for removal will be flagged before the start of construction, in consultation with a park plant ecologist and/or historical landscape architect • Construction limits will be fenced before beginning any work under the proposed contract until completion of the contract to ensure no additional disturbance from construction activities will result. 	<p>NPS and Construction Contractor</p>
<p>To protect the viability of the vegetation in the project area, the following measures will be taken:</p> <ul style="list-style-type: none"> • Excavated fill or disturbed soils will be tamped back into place • Imported soils and other materials (including quarry rock or straw bales) will be certified weed free and are subject to inspection • Erosion control will be in the form of sterile matting, to preclude introduction of nonnative species. 	<p>NPS and Construction Contractor</p>
<p>Water Resources and Wetlands</p>	
<p>To prevent soil from eroding and depositing into water sources:</p> <ul style="list-style-type: none"> • Any stored topsoil or fill material will be surrounded by silt fencing and overtopped by semipermeable matting anchored together to prevent siltation from heavy runoff during rainstorms • Adequate erosion control or drainage structures will be installed and maintained • Materials will be stockpiled in areas exhibiting signs of disturbance (bare ground or fill material). • 	<p>Construction Contractor</p>
<p>An adequate hydrocarbon spill containment system will be available on site in case of unexpected spills in the project area.</p>	<p>Construction Contractor</p>

ERRATA SHEETS

BOQUILLAS CROSSING VISITOR CONTACT STATION ENVIRONMENTAL ASSESSMENT

BIG BEND NATIONAL PARK

The NPS received two substantive comments regarding the Boquillas Crossing Visitor Contact Station Environmental Assessment during the public review period. Both comments are found below. No changes to the environmental assessment were required.

SUBSTANTIVE COMMENTS

Comment: Because of Big Bend's location at the extreme western end of the Central Time Zone, the sun sets at a late hour. Sunset occurs after 8 PM for six months from mid-March to mid-September, and occurs after 7 PM for nearly eight months (from the start to the end of Daylight Time). It would be desirable to keep the border-crossing open until around sunset.

Response: The hours of operation will be flexible so that NPS and CBP can adjust the hours to meet demand. It is anticipated that during the high visitation season (November -March) that the crossing will operate from 8 AM to 6 PM. Even though the days are longer in the summer, the anticipated demand is very small and local so the initial hours of operation will probably only be 9AM to 5 PM. During the first few years of operation of the crossing the NPS and CBP will review hours of operation at least annually until use patterns are established.

Comment: It does not say if one can use their own boat, or are they limited to the official boat? A person should be able to wade across, and should be able to use their OWN boat or canoe. Do they have to wear life preservers provided by the official concessionaire boat person, or can they use their own, or can they NOT wear them if they so desire? The people of Boquillas should be allowed to provide donkey and/or horses to take people across, like it has always been in the past.

Response: Visitors with proper identification may cross the river in their own boat or wade across when the river is low. However, the crossing will not be a river access point for launching river trips through Boquillas Canyon. Personal Floatation Devices (life vests) will be available in the commercial boats, and passengers will not be *required* to wear them. Livestock may not be brought across the international boundary (USDA regulation). It is anticipated that burro rides will be available to transport visitors from the Mexican side of the river into the village of Boquillas as they were in the past.