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FINDING OF NO SIGNIFICANT IMPACT
Proposed Construction of Communications Towers,
Falfurrias and Sarita, Texas

HISTORY: To avoid detection, illegal migrants and smugglers get out of vehicles before reaching a US Border Patrol (USBP) checkpoint, travel around the checkpoint on foot, and rejoin the vehicle and driver at rest areas beyond the checkpoint. To monitor and deter this traffic, cameras need to be installed in the rest areas. These line-of-sight video signals are then transmitted back to the checkpoints. Construction of two communications towers would enable a line-of-sight video signal between the towers and cameras.

The Proposed Action calls for the construction of a 152-foot communications tower and associated housing for a backup generator and other equipment at the Falfurrias and Sarita USBP checkpoints. An Environmental Assessment (EA) was required for these constructions. A draft EA was submitted to regulatory agencies and made available to the general public for review and comment. The draft and the Final EA address the potential environmental impacts of the construction of the new towers and their support facilities.

PURPOSE AND NEED: This effort detects and deters illegal migrant and smuggler activity at rest areas and provides the USBP the intelligence necessary for their appropriate level of response. These cameras, towers, and support facilities will allow USBP agents at the checkpoints to monitor illegal activity at the rest areas but, not tie up agents at the rest areas.

PROPOSED ACTION: The Proposed Action constructs two, 152-foot communications towers and associated housing for backup generators and other equipment for the checkpoints. These rest areas are north of USBP checkpoints on the northbound side of U.S. Highway 281, and at the northbound side of U.S. Highway 77. The rest areas are in the center medians of Highway 281 and Highway 77 (approximately 2-3 miles north of the Falfurrias and Sarita checkpoints, respectively.)

Three concrete piers spaced in an equilateral triangle 23-feet on a side would anchor the tower at the Falfurrias checkpoint. These 4-foot diameter piers would be constructed of reinforced concrete and would be installed to a depth of 38-feet. The tower at the Sarita checkpoint would be anchored on a 26-foot square concrete mat foundation installed to a total depth of 6.25 feet.

Dimensions for the equipment housing are estimated at 15 x 8ft. The towers and equipment shelters will connect to the main checkpoint building by underground electrical conduits installed under the pavement.

ALTERNATIVES: Alternatives carried forward for analyses in the EA include the No Action and the Proposed Action alternatives. The No Action alternative will continue to allow undocumented aliens and smugglers of contraband materials to evade detection by the USBP by using the avoidance tactics described above. Of the alternatives considered, the Proposed Action will most effectively allow the USBP to fulfill its mission.

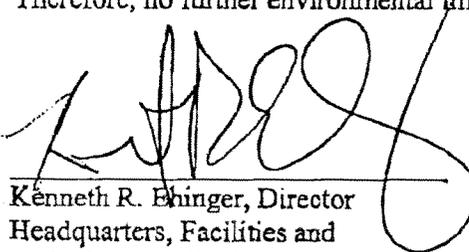
ENVIRONMENTAL CONSEQUENCES: No significant adverse effects on the natural or human environment are expected with the implementation of the Proposed Action. Only a 50 x 30-ft. grassy area in the Falfurrias checkpoint would change. The proposed construction at the Sarita checkpoint would occur entirely within an already paved area.

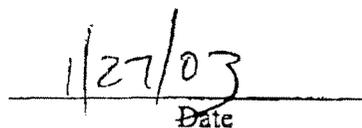
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MITIGATION MEASURES: Environmental design measures will be managed and supervised by the USBP McAllen and Harlingen Station managers. These mitigation measures for the Proposed Action include:

1. Mitigation measures for potential impact on air quality include dust suppression to minimize airborne particulate matter created during construction activities. Additionally, all construction equipment and vehicles will be required to be kept in good operating condition to minimize exhaust emissions. Standard construction practices will control fugitive dust during the construction phases of the proposed project.
2. Noise impacts caused by construction to personnel will be minimized by requiring earplugs for employees working in environments with continuous noise levels above 90 dBA, in accordance with Occupational Safety and Health Administration regulations. Impacts on the surrounding area will be minimized by establishing time limits for on-site construction activities. On-site activities will be restricted to daylight hours on Monday through Saturday, except in emergency situations, and only maintenance of equipment permitted on Sundays. Additionally, all construction equipment will possess properly working mufflers and be kept in a proper state of tune to reduce backfires.
3. If buried cultural material, including human remains is encountered, construction in the vicinity will cease immediately and the stipulations of the Native American Graves Protection and Repatriation Act will be implemented.
4. Proper maintenance of construction equipment and best management practices during construction activities will be used to minimize the possibility of accidental spills of fuels or lubricants that, if they occurred, could affect surface and ground water quality.

Finding: Based upon the results of the EA and the environmental design measures incorporated as part of the Proposed Action, the Proposed Action will not have a significant effect on the environment. Therefore, no further environmental impact analysis is warranted.


Kenneth R. Ehinger, Director
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Engineering Division


Date

**DRAFT ENVIRONMENTAL ASSESSMENT OF
PROPOSED INSTALLATION OF
COMMUNICATIONS TOWERS AT U.S. BORDER
PATROL CHECKPOINTS,
FALFURRIAS AND SARITA, TEXAS**



**Prepared for:
U.S. Border Patrol
Immigration and Naturalization Service**

**Prepared By:
U.S. Army Corps of Engineers**

FORT WORTH DISTRICT

December 2002

DRAFT

ENVIRONMENTAL ASSESSMENT

**PROPOSED INSTALLATION OF COMMUNICATIONS TOWERS AT
U.S. BORDER PATROL CHECKPOINTS
FALFURRIAS AND SARITA, TEXAS**

DECEMBER 2002

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EXECUTIVE SUMMARY

The U.S. Border Patrol (USBP) maintains checkpoints on the northbound side of U.S. Highway 281 approximately 13 miles south of Falfurrias, Texas, and on the northbound side of U.S. Highway 77 approximately 14 miles south of Sarita, Texas. The USBP proposes to construct new communications towers at these checkpoints. According to the USBP, a common tactic used by undocumented aliens (UDAs) and smugglers of contraband materials to avoid detection is to travel by vehicle to a short distance south of a checkpoint, have the driver stop and let them out, travel around the checkpoint on foot, and rejoin the vehicle and driver at the rest area. The primary purpose of the Proposed Action is to allow the USBP to monitor activity at rest areas north of each checkpoint. Construction of the communications towers would allow the USBP to establish a line-of-sight video signal between the towers and cameras that would be mounted at the rest areas.

The USBP proposes to construct a 152 foot communications tower and associated housing for a backup generator and other equipment at each of the two checkpoints. The tower at the Falfurrias checkpoint would be anchored by three concrete piers spaced in an equilateral triangle 23 feet on a side. These piers would be constructed of reinforced concrete, would measure four feet in diameter, and would be installed to a depth of 38 feet. The tower at the Sarita checkpoint would be anchored on a 26-foot square concrete mat foundation installed to a total depth of 6.25 feet. Dimensions for the equipment housing were not available, but it is estimated that they would measure approximately 15-feet long by 8-feet wide. The towers and equipment shelters would be connected to the main building at each checkpoint by underground electrical conduits that would be installed under the pavement.

The construction of the communications towers would take place in existing, operational checkpoints. At the Falfurrias checkpoint, the tower would be installed immediately adjacent to the pavement of the exit lanes, in a grassy area measuring approximately 50-feet long by 30-feet wide (estimated). At the Sarita checkpoint, the tower would be installed in an area that is already completely paved. In the immediate areas of proposed construction, the natural environment has already been significantly altered by the construction and operation of the checkpoints. Both areas would be considered low-quality habitat for wildlife. The only loss of vegetation or habitat that would result from the construction of the towers would be that of the grassy area at the Falfurrias checkpoint.

The Proposed Action would not result in any significant environmental impact. There would be no impacts on land use, geological resources, water resources, wildlife, threatened or endangered species, or cultural resources. The only adverse impacts on vegetation, noise, aesthetics, or solid and hazardous waste concerns would be insignificant. The Proposed Action would have a slight but overall insignificant beneficial impact on the socioeconomic environment of the area through temporary increases on spending on local businesses during construction and improved public safety for the local communities and legitimate users of the rest areas.

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1.0 INTRODUCTION

This Environmental Assessment (EA) evaluates the potential environmental impacts associated with the construction of new communications towers at U.S. Border Patrol (USBP) checkpoints near Falfurrias and Sarita, Texas (Figure 1-1), and was prepared on behalf of the United States Immigration and Naturalization Service (INS). The proposed tower construction was previously addressed by a Categorical Exclusion (CatEx). Upon review of the CatEx, however, INS determined that an EA was required. Due to the nature of the proposed construction and the limited areas of potential environmental impact, this EA is of a more streamlined form than that normally required for larger construction projects.

1.1 PROJECT BACKGROUND

The USBP maintains checkpoints on the northbound side of U.S. Highway 281 approximately 13 miles south of Falfurrias, Texas, and on the northbound side of U.S. Highway 77 approximately 14 miles south of Sarita, Texas. Traffic checkpoints are used to inspect vehicles traveling on major highways leading away from the U.S./Mexican international border in order to (1) detect and apprehend undocumented aliens (UDAs) attempting to travel further into the interior of the United States after evading detection at the border and (2) detect illegal narcotics.

An environmental specialist and a cultural resources specialist from Ecological Communications Corporation (EComm) met with USBP personnel and performed on-site inspections of the proposed project sites on July 30, 2002. The proposed project area at the Falfurrias checkpoint was located immediately east of the paved portion of the checkpoint, in a narrow grassy strip between the checkpoint's exit driveway and the fence marking the eastern property boundary. A small stand of live oak trees was present between the grass and the fence as well. The proposed project area at the Sarita checkpoint was located on the paved portion of the checkpoint south of the checkpoint's office building and east of the canopy under which vehicles were being inspected.

1.2 PURPOSE AND NEED

The primary purpose of the Proposed Action is to allow the USBP to monitor activity at rest areas north of each checkpoint. There are rest areas in the center medians of Highway 281 and Highway 77 approximately 2-3 miles north of the Falfurrias and Sarita checkpoints, respectively. According to the USBP, a common tactic used by UDAs and smugglers of contraband materials to avoid detection is to travel by vehicle to a short distance south of a checkpoint, have the driver stop and let them out, travel around the checkpoint on foot, and rejoin the vehicle and driver at the rest area. Construction of the communications towers would allow the USBP to establish a line-of-sight video signal between the towers and cameras that would be mounted at the rest areas. Installation of such a system would allow USBP agents at the checkpoints to monitor activity at the rest areas and respond when suspicious activity is observed.

The Proposed Action also calls for the installation of additional electrical equipment and diesel generators that would be housed in small equipment shelters at each checkpoint. The electrical



FIGURE 1-1 LOCATIONS OF PROPOSED CONSTRUCTION OF COMMUNICATIONS TOWERS.

equipment would be a part of each tower's communication system, and the generators would be used only as a backup power supply.

A secondary purpose of the towers is to facilitate better communications between the checkpoints and the USBP's McAllen Sector headquarters. The tower may also be used to support a Remote Video System to be installed at an unspecified future time.

2.0 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

This section presents a description of the Proposed Action and the No Action Alternative. The Proposed Action involves the construction of the communications towers and associated support structures. The No Action Alternative represents the option in which construction would not take place. Other alternatives that were considered but not carried through the full environmental analysis are also discussed.

2.1 OPERATIONAL SELECTION CRITERIA

The avoidance tactics of UDAs and smugglers of contraband materials described in Section 1.4 require an effective response by the USBP. The USBP's needs for its response action include:

- Must allow rest areas to remain operational for legitimate users,
- Must allow checkpoints to retain maximum effectiveness,
- Must allow monitoring of rest areas,
- Must provide real-time information on illegal activity at rest areas, and
- Must transmit information to agents stationed at the checkpoints.

The Proposed Action and the No-Action Alternative were evaluated using the above criteria.

2.2 PROPOSED ACTION

The USBP proposes to construct a 152-foot communications tower and associated housing for a backup generator and other equipment at each of the two checkpoints. The locations of the towers and equipment shelters within the Falfurrias and Sarita checkpoints are shown in Figures 2-1 and 2-2, respectively. The tower at the Falfurrias checkpoint would be anchored by three concrete piers spaced in an equilateral triangle 23 feet on a side. These piers would be constructed of reinforced concrete, would measure four feet in diameter, and would be installed to a depth of 38 feet. The tower at the Sarita checkpoint would be anchored on a 26-foot square concrete mat foundation installed to a total depth of 6.25 feet. Dimensions for the equipment housing were not available, but it is estimated that they would measure approximately 15-feet long by 8-feet wide. The towers and equipment shelters would be connected to the main building at each checkpoint by underground electrical conduits that would be installed under the pavement.

2.3 NO ACTION ALTERNATIVE

Under the No Action Alternative, no towers would be installed. The checkpoints would remain operational, but they would not be as effective as possible due to smugglers' avoidance tactics, which depend on the use of the rest areas as rendezvous points.

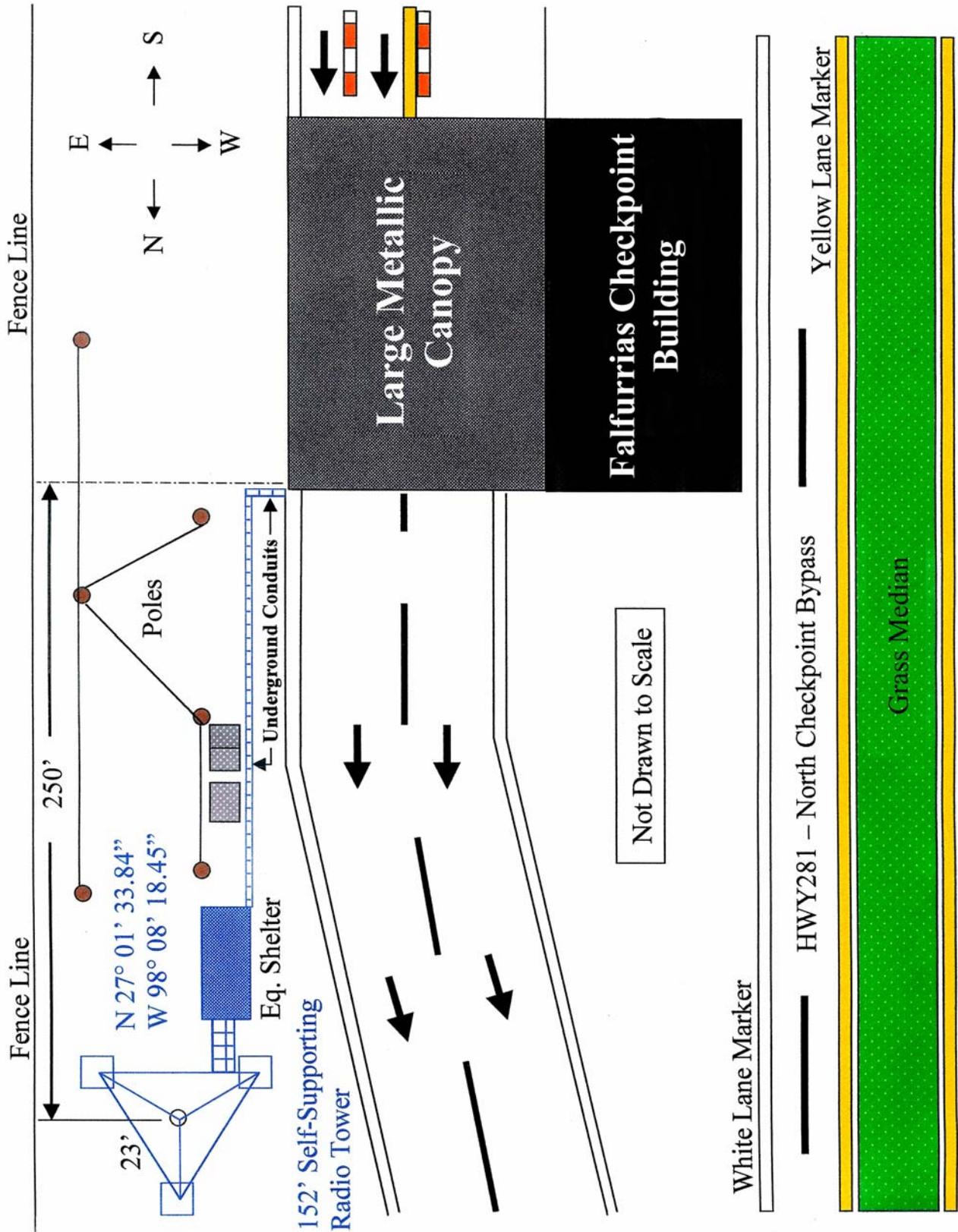


FIGURE 2-1 SITE LAYOUT OF FALFURRIAS CHECKPOINT (PROPOSED CONSTRUCTION IN BLUE).

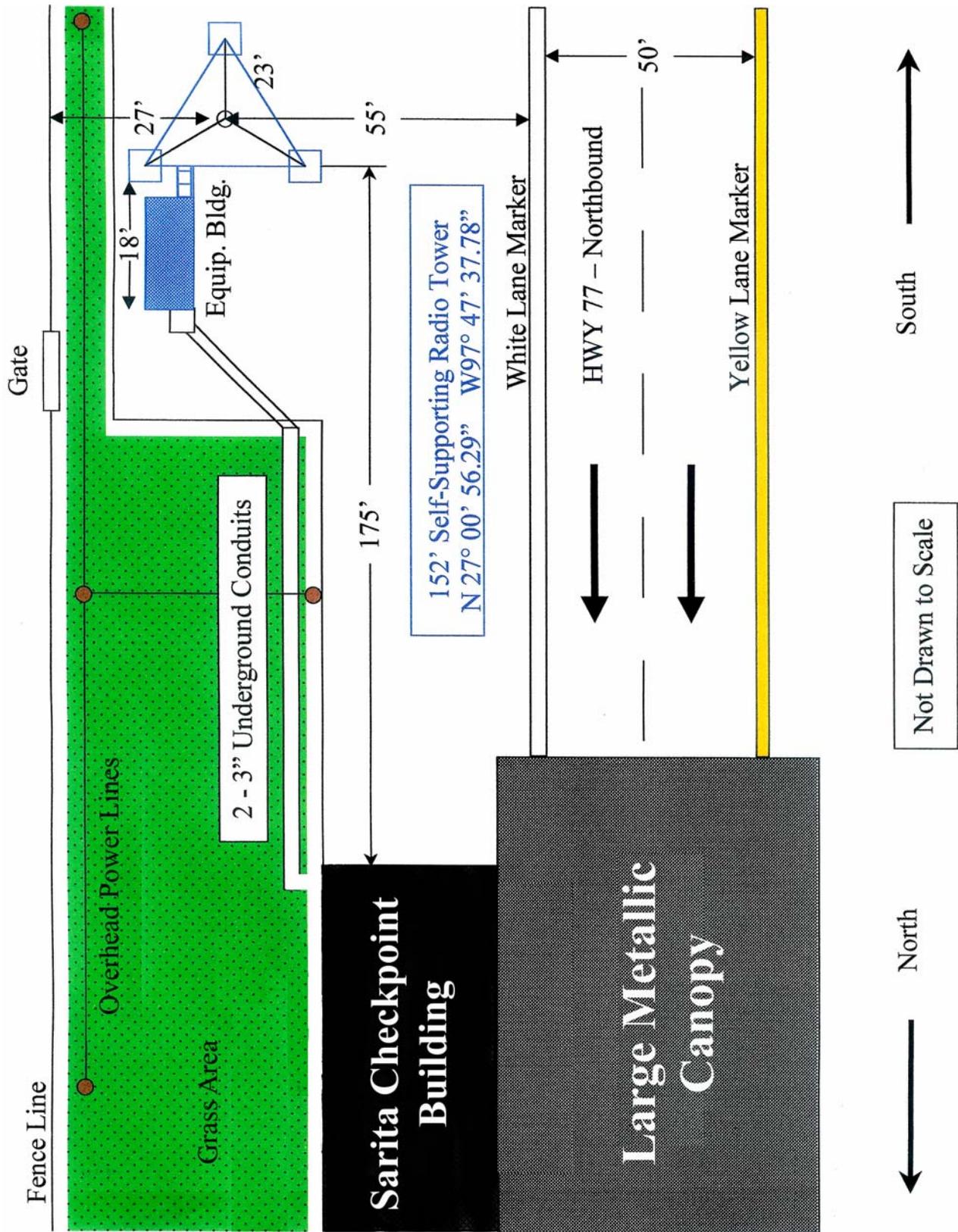


FIGURE 2-2 SITE LAYOUT OF SARITA CHECKPOINT (PROPOSED CONSTRUCTION IN BLUE).

2.4 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED ANALYSIS

Four alternatives to the Proposed Action are available but were eliminated from further study based on cost, ineffectiveness in addressing the problem, and/or a much greater potential to result in adverse impacts on the natural environment. These alternatives, and the reasons they were eliminated from further study, consist of the following:

- Installation of the towers at alternate locations. This alternative would confer the same benefits as the Proposed Action but would cost more and result in greater environmental impacts due to the need to construct the towers in undeveloped areas and connect the towers to the respective checkpoints over greater distances.
- Construction of a single tower to monitor both rest areas. Like the installation of towers at alternate locations, this alternative would also confer the same benefits as the Proposed Action but have the same disadvantages. In addition, a tower placed even at the optimal location to provide a line-of-sight video signal to both rest areas would have to be much taller than the proposed 152 feet, due to the distance of approximately 25 miles between the two rest areas. The cost of construction of the additional height of such a tower would offset any savings realized by constructing one tower instead of two. Such a tower would also pose much more of a hazard to low-flying aircraft than would the proposed towers.
- Patrolling of the rest areas by USBP agents. This alternative would either result in greatly increased personnel costs, if a new agent were to be assigned to each rest area, or diminished effectiveness of the current staff at each checkpoint, if agents from the current checkpoints were required to periodically leave their posts to patrol the rest areas. Such part-time patrols would also likely be ineffective, as it would be easy for smugglers of contraband and UDAs to observe the rest areas and then simply rejoin their vehicles when the agents were not present. Under this alternative, the USBP would also not benefit from the improved communications between the checkpoints and the McAllen Sector headquarters resulting from implementation of the Proposed Action.
- Closure of the rest areas. This alternative would have an adverse impact on all users of the highways on which the rest areas are located. It may also not be feasible, as the rest areas are not under the jurisdiction of the USBP, and their closure would require the consent of the Texas Department of Transportation.

2.5 COMPARISON OF PROPOSED ACTION AND ALTERNATIVES

The Proposed Action meets the needs of the USBP better than any of the alternatives, as is summarized in Table 2-1. As is shown in Table 2-2 and explained in detail in Section 4.0, it can also be implemented without causing significantly greater impacts on the environment than the only feasible alternative, the No Action Alternative.

TABLE 2-1 ALTERNATIVE MATRIX

Requirement	Compliance with Requirement					
	Proposed Action	No Action Alternative	Alternate Locations for Towers	Single Tower	Patrolling of Rest Areas	Closure of Rest Areas
Allow rest areas to remain operational	Yes	Yes	Yes	Yes	Yes	No
Allow checkpoints to retain maximum effectiveness	Yes	Yes	Yes	Yes	No	Yes
Provide monitoring of rest areas	Yes	No	Yes	Yes	Partial	n/a
Provide real-time information	Yes	No	Yes	Yes	Yes	n/a
Provide information to agents at checkpoints	Yes	No	Yes	Yes	Yes	n/a

TABLE 2-2 COMPARISON OF POTENTIAL IMPACTS.

Affected Environment	No Action Alternative	Proposed Action
Air Resources	No impacts	Insignificant short-term increase in exhaust pollutants, dust; no long-term impacts
Land Use	No impacts	No impacts
Geological Resources	No impacts	No impacts
Water Resources	No impacts	Support structures installed below ground, but not at depths that would affect aquifers; therefore, no impacts
Biological Resources	No impacts	Insignificant impacts due to loss of very small grassy area; no impacts on wildlife or threatened or endangered species.
Noise	No impacts	Slight short-term increases in heavy equipment noise during construction; very slight long-term increases in vehicular traffic noise from operation. Increases are insignificant.
Cultural Resources	No impacts	No impacts
Aesthetic Resources	No impacts	Insignificant impact of installation of towers into an area where several are already present
Solid/Hazardous Waste	No impacts	Slight but insignificant increase in quantity of fuel stored at checkpoints
Socioeconomic Issues	Adverse, but insignificant, impacts on local citizenry and users of rest areas due to presence of UDAs and smugglers of contraband materials	Insignificant but beneficial short-term impact on local economy from construction activities; insignificant but beneficial long-term increase on public safety from increase in UDA apprehension and drug interception through use of remote visual monitoring of rest areas.

3.0 ENVIRONMENTAL SETTING

As previously noted, this EA is a more streamlined version of a typical EA prepared under NEPA, due to the limited extent of construction and the minimal impacts on any undeveloped, natural area. As such, this section will not present a detailed description of every environmental resource within the project areas, but rather a short overview of the surrounding environment.

The construction of the communications towers would take place in existing, operational checkpoints. At the Falfurrias checkpoint, the tower would be installed immediately adjacent to the pavement of the exit lanes, in a grassy area measuring approximately 50-feet long by 30-feet wide (estimated) (Appendix A, Photo 1). At the Sarita checkpoint, the tower would be installed in an area that is already completely paved (Appendix A, Photo 2). In the immediate areas of proposed construction, the natural environment has already been significantly altered by the construction and operation of the checkpoints. Both areas would be considered low-quality habitat for wildlife.

At the time of the site visit, the areas surrounding the checkpoints were undeveloped ranch land. A small stand of oak trees was present immediately east of the area of proposed construction at the Falfurrias checkpoint, along a fence that separated the checkpoint from the adjacent ranch. Beyond this fenceline and oak stand was a low rise, most of which was covered with grasses. Oaks, mesquite, and variety of other trees and shrubs, some of which stood individually and some of which grew together in small stands, were located beyond this grassy rise. This mixture of grasses, trees, and shrubs appeared to dominate the entire area. The land surrounding the Sarita checkpoint was similar to that at the Falfurrias checkpoint, but the density of trees was higher. There was no significant wildlife observed at either checkpoint, although turkey vultures and red-tail hawks were observed from the highways in both areas.

Other than the checkpoints themselves and the highways, there was little evidence of human activity in the area of either checkpoint. Both were located in remote areas, away from developed communities. The nearest developed areas to the checkpoints were the respective rest areas to be monitored by cameras on the proposed communications towers, approximately 2-3 miles north of each checkpoint.

4.0 ENVIRONMENTAL CONSEQUENCES OF THE PROPOSED ACTION

An environmental consequence, or impact, is defined as a modification in the existing environment brought about by mission and support activities. Impacts can be beneficial or adverse, a primary result of an action (direct) or a secondary result (indirect), and permanent or long-lasting (long-term) or of short duration (short-term). Impacts can vary in degree from a slightly noticeable change to a total change in the environment.

More specifically, short-term impacts are those that would occur within the project area during and immediately after the construction of the proposed project. For this project, short-term impacts are defined as those tied to the first two years following project implementation, whereas long-term impacts are those lasting more than two years.

Potential impacts for this project were classified at one of three levels: significant, insignificant (or negligible), and no impact. Significant impacts (as defined in CEQ guidelines 40 CFR 1500-1508) are effects that are most substantial, and therefore should receive the greatest attention in the decision-making process. Insignificant impacts would be those impacts that result in changes to the existing environment that could not be easily detected. No-impact actions would not alter the existing environment. In the following discussions, impacts are considered adverse unless identified as beneficial.

Cumulative impacts and irreversible and irretrievable commitment of resources are discussed in separate sections following the discussions of each specific resource. Cumulative impacts are those that result from the incremental impacts of an action added to other past, present, and reasonably foreseeable actions, regardless of who is responsible for such actions.

4.1 RESOURCES NOT IMPACTED BY THE PROPOSED ACTION

Based on the nature of the Proposed Action and the characteristics of the checkpoints and their surrounding areas, some resources would clearly not be affected, and were thus not addressed in this EA. These resources include the following:

- Geological resources,
- Surface water,
- Wetlands,
- Floodplains,
- Wildlife, and
- Threatened and Endangered Species.

4.2 AIR RESOURCES

Under the Proposed Action, exhaust pollutants would be created from on-site heavy equipment and vehicles bringing workers and building materials to the site. Diesel or gasoline-powered heavy equipment would be used during construction of the towers.

Such increases or impacts on ambient air quality during the construction phase would be expected to be short-term and insignificant, and can be reduced further through the use of standard dust control techniques, including watering of the construction site. There would be no net increases in vehicular emissions associated with existence of the towers, so no long-term impacts would be expected to occur.

Under the No-Action alternative, no construction would take place. Baseline conditions would remain the same. Temporary short-term increases in dust and vehicular emissions would be avoided.

4.3 LAND USE

Land use in the area of both checkpoints will remain unchanged. The surrounding land will continue to be used as ranch land. The proposed construction is not of the type that might lead to further growth of the area, such as infrastructure or commercial development, indicating that no secondary impact on area land use will occur. There are several other communications towers in the vicinity of both checkpoints; as such, the presence of the new towers will not be inconsistent with this usage of area land.

Under the No-Action alternative, no construction would take place. The checkpoints and rest areas would continue to be used as they would be under the Proposed Action.

4.4 WATER RESOURCES

There are no surface water features, including wetlands or floodplains, in the vicinity of either checkpoint. As described in Section 2.2, the tower at the Falfurrias checkpoint would be anchored by three concrete piers installed to a depth of 38 feet, while the tower at the Sarita checkpoint would be anchored on a 26-foot square concrete mat foundation installed to a total depth of 6.25 feet. None of these support structures would be installed to a depth at which groundwater would be affected. The concrete mat foundation for the tower at the Sarita checkpoint would be installed in an area that is already under impervious cover, so it would not further impede recharge of the underlying aquifer beyond what has already occurred due to the construction of the checkpoint.

Under the No-Action Alternative, the towers would not be installed. Groundwater flow and recharge would continue to occur at the same rates as they would if the Proposed Action were to be implemented.

4.5 BIOLOGICAL RESOURCES

During the site visit conducted on July 30, 2002 by a biologist from Ecological Communications Corporation (EComm), it was determined that the only biological resource that would be lost as a result of the Proposed Action would be grass. The proposed construction will occur entirely within existing USBP checkpoints. The tower and the equipment shelter at the Falfurrias checkpoint will be constructed in a grassy area immediately adjacent to the pavement (see Appendix A, Photo 1). The grass in this area is the only vegetation or habitat that will be disturbed for this project. The loss of this small grassy area is insignificant. It is possible that one branch from one of the live oaks

adjacent to the proposed construction site at the Falfurrias checkpoint will require removal, but none of the trees will be entirely removed. The tower and equipment shelter at the Sarita checkpoint will be constructed in an area that is already paved (see Appendix A, Photo 2).

Under the No-Action alternative, the towers would not be installed. The grassy area would remain within the existing Falfurrias checkpoint but would only continue to offer a very small area of low-quality habitat.

4.6 NOISE

No significant long-term noise impacts are expected from the Proposed Action. The towers themselves would not create noise. Supporting equipment for the towers would be housed in equipment shelters, so any noise it creates would be contained. As such, there would be no significant increase in noise as a result of the Proposed Action. Short-term impacts would be limited to noise emitted from construction machinery.

Under the No-Action alternative, no construction would take place. The checkpoints would continue to create negligible noise impacts, primarily as a result of vehicles waiting to be inspected.

4.7 CULTURAL RESOURCES

As a result of previous construction of the highways and other disturbances, it is unlikely that the project areas contain archeological sites with sufficient integrity that would render them eligible for inclusion on the National Register of Historic Places (NRHP) or merit designation as a State Archeological Landmark (SAL). Furthermore, no buildings, structures, or other objects appearing to be 50 years of age or older are located within the project's areas of potential effect. The tower at the Falfurrias checkpoint will be constructed completely within the right-of-way (ROW), which has been greatly modified by earth-moving equipment (Appendix A, Photo 3), and the tower at the Sarita checkpoint will be built on a concrete slab in an area that has been previously disturbed and paved with asphalt. It will also be built within the ROW.

If evidence of archeological deposits is encountered during construction, work in the immediate area will cease and U.S. Army Corps of Engineers archeological staff will be contacted to initiate accidental discovery procedures under the measures contained in 36 CFR part 800.

Under the No-Action Alternative, no communications towers would be constructed. Baseline conditions would not change, and there would be no impacts on cultural resources resulting from the operation of the checkpoints without the towers.

4.8 AESTHETIC RESOURCES

The current visual characteristics of the project areas are operational checkpoints at the immediate sites of proposed tower construction and open space and mostly flat, semi-arid scrub and grassland in the surrounding areas. Under the Proposed Action, the aesthetic character of the project areas would be slightly changed by the addition of the towers, but these changes would be insignificant. There are already several other communications towers in the vicinity of both checkpoints, so the

proposed construction of the towers would not fundamentally alter the aesthetic character of the area.

Under the No-Action alternative, the towers would not be installed. The immediate project areas would still have the appearance of operational checkpoints, and the surrounding areas would still feature mostly undeveloped ranch land and occasional other communications towers.

4.9 SOLID AND HAZARDOUS WASTE

It is possible that small quantities of additional fuel will be kept on-site for the backup generators. The current checkpoints already maintain fuel tanks, however, so the storage of additional fuel, or of a different type of fuel, for the backup generators does not represent a significant impact. Risks of significant fuel leaks or spills can be minimized by adherence to the regulations for fuel storage tanks promulgated by the Texas Commission on Environmental Quality (TCEQ) and by strict observance of basic safety precautions.

The installation of the towers would not result in staffing increases at either checkpoint, so no increase in the generation of solid waste is expected as a result of the Proposed Action.

Under the No-Action Alternative, no construction would take place. The checkpoints would continue to maintain on-site fuel tanks and to generate small quantities of solid waste, as they would if the Proposed Action were implemented.

4.10 SOCIOECONOMICS AND ENVIRONMENTAL JUSTICE

The checkpoints are intentionally located in remote areas, away from developed communities. As such, construction activity would be unlikely to have any direct impact on residents or businesses in either Falfurrias or Sarita, including low-income or minority populations addressed by Executive Order 12898 of 11 February 1994, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations."

Direct expenditures associated with the proposed project would have a minimal impact on employment, income, and sales within the project areas. Although most labor and some materials would be brought into the local area, some expenditures are expected to occur within the region of influence (ROI). Short-term increases in local revenues for commercial establishments, trade centers, and retail sales will result from the purchase of supplies and equipment rental. Any potential impacts from the construction activities, however, would easily be absorbed into the broader economy of the region.

In the long-term, the socioeconomic impacts of this alternative are expected to be beneficial due to the expected increase in UDA apprehension and a decrease in drug trafficking and smuggling. The Proposed Action would, therefore, result in increased public safety. These benefits would be most pronounced for travelers using the rest areas and the residents of Falfurrias and Sarita. By improving the USBP's ability to intercept UDAs, the Proposed Action would also enhance national security through an increased likelihood of interception of potential terrorists attempting to infiltrate the country.

Under the No-Action alternative, no tower construction would take place. UDAs and smugglers would continue to employ avoidance tactics that require the use of the rest areas as a rendezvous point. As a result, legitimate users of the rest areas, as well as the citizens of Falfurrias and Sarita, would be subjected to the potential adverse safety consequences of illegal immigration and drug smuggling that could otherwise be reduced by the Proposed Action. Selection of the No-Action Alternative would potentially have a negative, though insignificant, impact on environmental justice and socioeconomic resources in the region.

4.11 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Irreversible and irretrievable commitments of resources would include a minimal amount of soil lost due to its replacement by the support piers at the Falfurrias checkpoint and the concrete mat foundation at the Sarita checkpoint, a minor loss of small grassy area at the Falfurrias checkpoint, and loss of materials, energy and manpower expended during construction of the project.

4.12 CUMULATIVE IMPACTS

4.12.1 Past Projects

The only past actions to which the Proposed Action is related are the construction of the checkpoints themselves, and the cumulative effects of the construction and operation of these checkpoints combined with those of the towers are the same as those of the checkpoints alone.

4.12.2 Current and Future Projects

The proposed construction represents the full scope of the USBP's requested action in response to the illegal activity of UDAs and smugglers known to be occurring in both areas. The towers may be used in support of a Remote Video System at some time in the future; however, the creation of such a system has already been addressed by a Programmatic Environmental Impact Statement¹ (EIS), and any additional towers constructed for this system will require site-specific EAs tiered off of the Programmatic EIS.

There are no other actions related to the Proposed Action under consideration at this time. As noted above, the construction of communications towers for a Remote Video System, of which the towers at the Falfurrias and Sarita checkpoints may be a part, will be addressed by site-specific EAs to ensure that no significant impacts on the environment, including cumulative impacts, result.

Direct cumulative impacts on economics from future USBP projects would be expected to be beneficial but insignificant, depending upon the amount of local expenditures and economic multipliers in the region. However, the cumulative impact on the quality of life in all communities for which intercepted drugs and UDAs were destined could be significant and beneficial if the USBP is successful at curbing illegal entry and drug trafficking.

¹ *Final Supplemental Programmatic Environmental Impact Statement for INS and JTF-6 Activities Along the Southwestern Border of the United States on the US/Mexico Border.* INS, June 2001.

4.12.3 No Action Alternative

The negative impact of continued illegal immigration with the resultant increases in crime and smuggling is a consequence of the No Action Alternative. Further, this alternative would potentially degrade the integrity of the U.S. Border in terms of homeland security and defense.

4.13 MITIGATION MEASURES

This chapter describes environmental design measures that would be implemented as part of the proposed project to reduce or eliminate impacts from construction activities. Due to the short-term nature of the proposed construction activities, impacts are expected to be insignificant; therefore, mitigation measures are only described for those resources with potential for impacts.

4.13.1 Air Quality

Mitigation measures would include dust suppression methods to minimize airborne particulate matter that would be created during construction activities. Additionally, all construction equipment and vehicles will be required to be kept in good operating condition to minimize exhaust emissions. Standard construction practices would be used to control fugitive dust during the construction phases of the proposed project. Coordination with USEPA Region 6 will be performed to provide specific notification of Proposed Actions and obtain necessary permits for operators of equipment and vehicles in accordance with air quality regulations.

4.13.2 Noise

During the construction phase, noise impacts are anticipated at local human receptors. As required by Occupational Safety and Health Administration (OSHA), earplugs will be worn by employees working in environments with continuous noise levels of 8 hours per day above 90 dBA. Because of the increased noise sensitivity during quiet hours, time limits on on-site construction activities are warranted for grading and the use of heavy equipment. On-site activities will be restricted to daylight hours on Monday through Saturday, except in emergency situations, and only maintenance of equipment permitted on Sundays. Additionally, all construction equipment will possess properly working mufflers and be kept in a proper state of tune to reduce backfires. Implementation of these measures will reduce noise impacts to an insignificant level.

4.13.3 Cultural Resources

No cultural sites have been located on the subject property. Additionally, past agricultural practices have disturbed the integrity of any surface features that may have been previously present. As such, no mitigation is necessary.

Unanticipated Discovery of Buried Cultural Material/Human Remains. If buried cultural material, including human remains, are encountered at any place, whether on a cultural resource site or at any other place, work in the vicinity will cease immediately and the stipulations of the Native American Graves Protection and Repatriation Act (NAGPRA) will be implemented.

4.13.4 Solid and Hazardous Wastes

With proper handling, storage, and/or disposal of hazardous and/or regulated materials there would be no significant adverse impacts to onsite workers and neighboring flora and fauna. To minimize potential impacts from hazardous and regulated materials, all fuels, used oils, and solvents will be collected and stored in tanks or drums within a secondary containment system that consists of an impervious floor and bermed sidewalls capable of containing the volume of the largest container stored therein.

The refueling of machinery will be completed following accepted guidelines, and all vehicles will have drip pans during storage to contain minor spills and drips. Although it would be unlikely for a major spill to occur, any spill of five gallons or more will be contained immediately within an earthen dike, and the application of an absorbent (e.g., granular, pillow, sock, etc) will be used to absorb and contain the spill. Any major spill of a hazardous or regulated substance will be reported to on-site environmental personnel who would notify appropriate Federal and state agencies.

All used oil will be recycled if practicable. All non-recyclable hazardous and regulated wastes will be collected, characterized, labeled, stored, transported, and disposed of in accordance with all Federal, state, and local regulations, including proper waste manifesting procedures.

5.0 LIST OF PREPARERS

Project Manager/ Ecologist	Bradley R. Hamer Ecological Communications Corporation B.A. in Environmental Science, 2 nd major in Biochemistry Years of Experience: 12
Technical Editor	Jill S. Madden Ecological Communications Corporation B.S. in Wildlife and Fisheries Sciences Years of Experience: 21
Archaeologist	Mindy Bonine Ecological Communications Corporation B.A. in Anthropology M.A. in Anthropology Years of Experience: 8
USACE Point of Contact	Charles McGregor Fort Worth District B.A. Chemistry Years of Experience: 7
INS Facilities and Engineering Division	Kevin Feeney Environmental Officer M.P.A.; B.S. Accounting/Finance Years of Experience (w/ NEPA): 20
USBP Point of Contact #1	Pete Arriaga USBP Agent McAllen, Texas

6.0 AGENCY AND ORGANIZATION COORDINATION

This chapter discusses consultation and coordination that occurred in the preparation of this document. This includes contacts made during development of the Proposed Action, elimination of alternatives, and writing of the EA. Formal and informal coordination has been conducted with the following agencies:

- Immigration and Naturalization Service,
- U.S. Border Patrol,
- U. S. Army Corps of Engineers (Fort Worth District),
- Texas Parks and Wildlife Department,
- State Historic Preservation Office (SHPO),
- U.S. Fish and Wildlife Service (USFWS), and
- Texas Department of Transportation
- Federal Aviation Administration

The Draft EA will be made available for public review and letters of coordination can be found in Appendix B. Appendix C contains copies of the Public Notices of Availability.

APPENDICES

APPENDIX A

Site Photographs



Photo 1 Area of proposed tower construction at Falfurrias checkpoint.



Photo 2 Area of proposed tower construction at Sarita checkpoint.



Photo 3 Artificial berm indicating previous disturbance of ground surface at Falfurrias checkpoint.
Trees are growing on berm created by earthmoving equipment.

APPENDIX B

Consultation Letters



DEPARTMENT OF THE ARMY
FORT WORTH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

REPLY TO
ATTENTION OF

December 5, 2002

Planning, Environmental, and Regulatory Division

SUBJECT: Environmental Assessment for Installation of Communications Towers at U.S. Border Patrol (USBP) Checkpoints near Falfurrias and Sarita, Texas

Mr. Dave Hamrick
Airport Director
Corpus Christi International Airport
1000 International Drive
Corpus Christi, TX 78406

Dear Mr. Hamrick:

The U.S. Army Corps of Engineers, Fort Worth District, acting on behalf of the U.S. Immigration and Naturalization Service (INS) has prepared the enclosed Draft Environmental Assessment (EA) addressing the proposed installation of communications towers at two U.S. Border Patrol (USBP) checkpoints near Falfurrias and Sarita, Texas. The Falfurrias tower would be located on the northbound side of U.S. Highway 281 approximately 13 miles south of Falfurrias, Brooks County, Texas. The Sarita tower would be located on the northbound side of U.S. Highway 77 approximately 14 miles south of Sarita, Kenedy County, Texas. The enclosed map indicates the location of these checkpoints.

The proposed project would entail constructing a 152-foot tower and associated housing for a backup generator and other equipment at each of the two checkpoints. All construction would occur within existing checkpoints. The only loss of habitat of any kind would be that of a very small grassy area immediately adjacent to a paved driveway at the Falfurrias checkpoint. Due to the nature of the proposed construction and the limited areas of potential environmental impact, this EA is of a more streamlined form than that normally required for larger construction projects. No impacts are expected to occur to local threatened and endangered species.

The U.S. Army Corps of Engineers, Fort Worth District, is soliciting review and comment on the Draft EA from your agency. All questions and comments regarding the Draft EA should be directed to: Mr. Charles McGregor, U.S. Army Corps of Engineers, Attn: CESWF-PER-EE, P.O. Box 17300, Fort Worth, Texas 76102-0300. Mr. McGregor can also be reached at (817) 886-1708 if further information is required.

Sincerely,

A handwritten signature in black ink, appearing to read "William Fickel, Jr.", is positioned above the typed name.

William Fickel, Jr.
Chief, Planning, Environmental and
Regulatory Division

Enclosures



DEPARTMENT OF THE ARMY
FORT WORTH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

REPLY TO
ATTENTION OF

December 5, 2002

Planning, Environmental, and Regulatory Division

SUBJECT: Environmental Assessment for Installation of Communications Towers at U.S. Border Patrol (USBP) Checkpoints near Falfurrias and Sarita, Texas

U.S. Fish and Wildlife Service, Ecological Services
ATTN: Field Supervisor
c/o Texas A&M University-Corpus Christi
Campus Box 338
6300 Ocean Drive
Corpus Christi, TX 78412

Dear Field Supervisor:

The U.S. Army Corps of Engineers, Fort Worth District, acting on behalf of the U.S. Immigration and Naturalization Service (INS) has prepared the enclosed Draft Environmental Assessment (EA) addressing the proposed installation of communications towers at two U.S. Border Patrol (USBP) checkpoints near Falfurrias and Sarita, Texas. The Falfurrias tower would be located on the northbound side of U.S. Highway 281 approximately 13 miles south of Falfurrias, Brooks County, Texas. The Sarita tower would be located on the northbound side of U.S. Highway 77 approximately 14 miles south of Sarita, Kenedy County, Texas. The enclosed map indicates the location of these checkpoints.

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Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental and
Regulatory Division

Enclosures



DEPARTMENT OF THE ARMY
FORT WORTH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

REPLY TO
ATTENTION OF

December 5, 2002

Planning, Environmental, and Regulatory Division

SUBJECT: Environmental Assessment for Installation of Communications Towers at U.S. Border Patrol (USBP) Checkpoints near Falfurrias and Sarita, Texas

Ms. Dorinda Sullivan
Natural Heritage Program
Texas Parks and Wildlife Department
3000 IH-35 South, Suite 100
Austin, Texas 78704

Dear Ms. Sullivan:

The U.S. Army Corps of Engineers, Fort Worth District, acting on behalf of the U.S. Immigration and Naturalization Service (INS) has prepared the enclosed Draft Environmental Assessment (EA) addressing the proposed installation of communications towers at two U.S. Border Patrol (USBP) checkpoints near Falfurrias and Sarita, Texas. The Falfurrias tower would be located on the northbound side of U.S. Highway 281 approximately 13 miles south of Falfurrias, Brooks County, Texas. The Sarita tower would be located on the northbound side of U.S. Highway 77 approximately 14 miles south of Sarita, Kenedy County, Texas. The enclosed map indicates the location of these checkpoints.

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Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental and
Regulatory Division

Enclosures



DEPARTMENT OF THE ARMY
FORT WORTH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

REPLY TO
ATTENTION OF:

December 5, 2002

Planning, Environmental, and Regulatory Division

SUBJECT: Environmental Assessment for Installation of Communications Towers at U.S. Border Patrol (USBP) Checkpoints near Falfurrias and Sarita, Texas

Mr. Mark Iglesias
Pharr District
Texas Department of Transportation
P.O. Drawer EE
Pharr, TX 78577

Dear Mr. Iglesias:

The U.S. Army Corps of Engineers, Fort Worth District, acting on behalf of the U.S. Immigration and Naturalization Service (INS) has prepared the enclosed Draft Environmental Assessment (EA) addressing the proposed installation of communications towers at two U.S. Border Patrol (USBP) checkpoints near Falfurrias and Sarita, Texas. The Falfurrias tower would be located on the northbound side of U.S. Highway 281 approximately 13 miles south of Falfurrias, Brooks County, Texas. The Sarita tower would be located on the northbound side of U.S. Highway 77 approximately 14 miles south of Sarita, Kenedy County, Texas. The enclosed map indicates the location of these checkpoints.

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Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental and
Regulatory Division

Enclosures

APPENDIX C

Notices of Availability

Public Notice/Notice of Availability

Interested parties are hereby notified that the Immigration and Naturalization Service has prepared an Environmental Assessment for the installation of 152-foot communications towers at checkpoints operated by the U.S. Border Patrol (USBP) McAllen Sector on Highway 281 approximately 13 miles south of Falfurrias, Texas and on Highway 77 approximately 14 miles south of Sarita, Texas. This notice is being issued to interested parties in accordance with the National Environmental Policy Act (NEPA), Public Law 91-190, and regulations for implementing the Procedural Provisions of the NEPA, 40 Code of Federal Regulations 1500-1508. The purpose of the Proposed Action is to enable the USBP to better monitor illegal activity at rest areas approximately two to three miles north of each checkpoint.

The EA is available for public inspection beginning December 11, 2002 and ending January 10, 2003. Comments will be accepted for the same 30-day period. The document is available for public viewing at the Ed Rachal Memorial Library located at 203 South Calixto Mora Ave. in Falfurrias, Texas.

All questions and comments regarding the Environmental Assessment should be directed, in writing, to the following:

Mr. Charles McGregor
U.S. Army Corps of Engineers
Fort Worth District
Attn: CESWF-EV-EE
Room 3A14
819 Taylor Street
Fort Worth, Texas 76102-0300

For further information, contact the Fort Worth District, Corps of Engineers, Technical Manager, Mr. Charles McGregor, at (817) 886-1708.

Public Notice/Notice of Availability

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The EA is available for public inspection beginning December 11, 2002 and ending January 10, 2003. Comments will be accepted for the same 30-day period. The document is available for public viewing at the Robert J. Kleberg Library located at 220 North 4th Street in Kingsville, Texas.

All questions and comments regarding the Environmental Assessment should be directed, in writing, to the following:

Mr. Charles McGregor
U.S. Army Corps of Engineers
Fort Worth District
Attn: CESWF-EV-EE
Room 3A14
819 Taylor Street
Fort Worth, Texas 76102-0300

For further information, contact the Fort Worth District, Corps of Engineers, Technical Manager, Mr. Charles McGregor, at (817) 886-1708.