

FINAL

FINDING OF NO SIGNIFICANT IMPACT

Addressing the Proposed Land Purchase, and Construction, Operation, and Maintenance of a Joint Processing Center in Yuma, Yuma County, Arizona

Introduction

Pursuant to the National Environmental Policy Act (NEPA), the Department of Homeland Security (DHS) has prepared an Environmental Assessment (EA), which is attached hereto and incorporated herein by reference, to document its consideration of the potential environmental impacts of a proposal to purchase approximately 40 acres of land in Yuma, Yuma County, Arizona and to construct, operate, and maintain a permanent, multi-agency facility to support humanitarian efforts along the southwestern border. The new Joint Processing Center (JPC) would have a larger capacity than existing facilities and would ensure the security, placement, and successful transition of undocumented noncitizens, including migrants and refugees, by DHS. An undocumented individual is a noncitizen who does not possess a document valid for admission into the United States. Undocumented individuals may or may not possess a passport or other acceptable document that denotes identity and citizenship when entering the United States. Under the Proposed Action, the JPC would be used by DHS, DHS Components, and other applicable federal agencies.

Purpose and Need

The purpose of the Proposed Action is to acquire land to construct, operate, and maintain a JPC to relieve crowding in existing DHS facilities. The Proposed Action would support humanitarian efforts along the southwestern United States/Mexico international border and ensure the security, placement, and successful transition of undocumented noncitizens.

The Proposed Action is needed to efficiently process migrants and ease overcrowding at existing, temporary soft-sided processing facilities (SSFs) not sustainable for continued use. The SSFs have limited capacity, are costly, smaller than the proposed JPC, and inadequately equipped for the increasing number of undocumented noncitizens entering the country. Current SSFs are overcrowded and the health and safety of DHS personnel, contractors, and those being processed is being affected. The overcrowding affects work efficiency, morale, and impedes execution of missions and operations during processing. The Proposed Action would allow multiple agencies to offer services and operate at the same building location and would allow better processing efficiency and reduced transportation costs. The JPC would be located in one of the highest areas of undocumented noncitizen apprehension encounter rates along the southwestern border.

Description of the Proposed Action

The Proposed Action would include the purchase of approximately 40 acres of land in Yuma County and constructing, operating, and maintaining a JPC. There are three alternatives at two alternative locations evaluated for the JPC: Alternative 1 is a privately owned parcel east of the Yuma Border Patrol Station (BPS) known as the Yuma Swap Meet, Alternative 2 is owned by the

Yuma Airport Authority directly south of the Yuma BPS, and Alternative 3 would be at the Yuma Swap Meet Site and would include the use of net-zero technologies for some utilities rather than using nonrenewable resources that do not meet the goals of Executive Order 14057. The JPC is anticipated to be approximately 180,000 square feet (ft²) and would be designed to accommodate 200 staff and 500 undocumented non-citizens, with the possibility of expansion to accommodate 1,000 undocumented non-citizens. Ancillary support facilities and structures would include public and private parking areas, a temporary fuel island with above-ground storage tanks with secondary containment systems, stormwater management system, roadways, emergency generators, and utilities. The Proposed Action is needed to relieve capacity within existing facilities and aid in humanitarian efforts along the Southwest Border to ensure the security, placement, and successful transition of refugees. This multi-agency facility would be used by DHS, DHS Components, and potentially other federal agencies as appropriate.

Construction of the proposed JPC and ancillary support facilities would disturb approximately 40 acres within the existing station fence line, of which, approximately 85 percent would be permanently impacted by the JPC and ancillary facilities. Upon completion of the JPC, the existing SSFs would remain for the possibility of future use. The JPC would be operated and staffed 24 hours a day, 7 days a week. Maintenance of the JPC would include routine upgrade, repair, and maintenance of the buildings, parking areas, grounds, and other facilities. Some examples of maintenance activities include landscaping, mowing, janitorial cleaning, trash removal, fencing repairs, replacing door locks or windows, painting interior or exterior walls, resurfacing a road or parking lot, grounds maintenance, or replacing essential facility components such as an air conditioning unit. Vehicle maintenance and washing would occur in a vehicle maintenance garage or appropriate area.

No Action Alternative

As required by NEPA and Council on Environmental Quality (CEQ) regulations, the No Action Alternative reflects conditions within the Project Area should the Proposed Action not be implemented. Under the No Action Alternative, DHS personnel would continue to use the existing temporary SSFs and the Yuma SSF. The use of these SSFs would not facilitate inter-agency coordination. Additionally, the existing SSFs would remain undersized and would not be able to be expanded or renovated to meet demand. The existing SSFs would continue to be undersized and inadequately equipped for the increasing number of undocumented noncitizens crossing the border. The facilities would be overcrowded and the health and safety of DHS personnel, contractors, and those being processed would be affected. In addition, the overcrowding would continue to affect work efficiency, morale, and impede the execution of the missions and operations.

Public Involvement

DHS coordinated with appropriate stakeholders, including federal, state, and local agencies and Native American Tribes and nations, having an interest in the Proposed Action. DHS initiated public scoping for the Proposed action during a 30-day scoping period from February 24, 2023 to March 27, 2023. All scoping comments were incorporated into the Draft and later Final EA.

The Notice of Availability (NOA) for the EA and draft FONSI was published in the *Yuma Sun* and *The Arizona Republic* and on the DHS website and made available for review and comment. The 30-day public comment period was used to solicit comments on the Proposed Action and alternatives and involve the local community in the decision-making process. The public comment period was from August 22, 2023, to September 22, 2023. Four (4) substantive comments were received during the 30-day public comment period—three from Indian tribes and one from the Arizona Game and Fish Department. They are described in greater detail in the Final EA.

Environmental Consequences

Impacts on environmental resources under each alternative are listed below in **Table 1**. To avoid or minimize adverse environmental impacts to the extent practicable, DHS has identified best management practices (BMPs) and mitigation measures in the EA that would be applied as applicable to ensure the avoidance of significant impacts on resources. Appendix D of the EA identifies measures that DHS will adopt to reduce or eliminate potential adverse impacts on the human and natural environment. Some of these BMPs include, but are not limited to, utilizing erosion control measures, grading or topsoil removal limited to areas where activity is needed to provide the ground conditions necessary for construction or maintenance, and cleaning equipment to ensure invasive plant seeds are not brought into the Project Area.

Table ES-1. Summary of Potential Environmental Impacts by Alternative

Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
Land Use	<p>Long-term, minor, adverse impacts on land use within the immediate or surrounding areas. Land use change from site of Yuma Swap Meet to be developed for JPC. A total increase of 14 acres developed within Yuma city limits. Compatible with adjacent properties and viability of adjacent land use not affected. No known conflicts with objectives of federal, state, regional, or local land use plans, policies, or controls. Not considered farmland due to urban location and history.</p>	<p>Long-term, minor, adverse impacts on land use within the immediate or surrounding areas. Land use change from agricultural and undeveloped to developed for JPC. A total of 34 acres developed within Yuma city limits. Compatible with adjacent properties and viability of adjacent land use not affected. Minor cumulative impact to farmland due to conversion of 38.1 acres of Natural Resources Conservation Service farmland of statewide importance to non-agricultural use. However, site was scored and is not protected by the Farmland Protection Policy Act (FPPA) due to urban setting.</p>	<p>Land use impacts would be similar to or less than as those described for Alternative 1.</p>	<p>No impacts.</p>

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Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
Geology and Soils	No impacts on geology. Short- and long-term, minor, adverse impacts on topography, and short-term, minor, adverse impacts on soils from disturbance of ground surfaces. Long-term, minor, adverse impacts from an increase of 14 acres of impervious surfaces. No farmland impacts due to urban location and history. Long-term, minor, adverse impacts could occur from geological hazards.	No impacts on geology. Short- and long-term, minor, adverse impacts on topography, and short-term, minor, adverse impacts on soils from disturbance of ground surfaces. Long-term, minor, adverse impacts from 34 acres of impervious surfaces. Long-term, moderate, adverse impacts on 38.1 acres of farmland soils; however, site was scored and is not protected by the FPPA due to urban setting. Long-term, minor, adverse impacts could occur from geological hazards.	Impacts would be the same as those described for Alternative 1.	No impacts.
Vegetation	Short-term, direct, negligible, adverse effects on small amounts of non-native vegetation along parcel edges. No impacts on native vegetation communities. BMPs would reduce or avoid impacts from invasive species spread/fire regime, accidental spills, and increased fugitive dust	Short-term and long-term, negligible, direct adverse effects on non-native vegetation due to loss of 17.9 acres of rotational alfalfa cropland. No impacts on native vegetation communities. BMPs would reduce or avoid impacts from invasive species spread/fire regime, accidental spills,	Impacts would be the same as those described for Alternative 1.	No impacts.

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Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
	emissions.	and increased fugitive dust emissions.		
Terrestrial and Aquatic Wildlife Resources	No potential wildlife habitat exists on site. Short-term, direct and indirect, negligible, adverse effects on wildlife from construction-related ground disturbance and noise. Impacts on migratory bird species would be avoided by conducting pre-construction surveys and avoiding construction at nesting locations until nesting activities are complete. BMPs would minimize or avoid impacts to wildlife.	Short-term and long-term, direct and indirect, minor, adverse effects on wildlife due to loss of 17.9 acres of rotational alfalfa crop, which is cut seasonally and considered marginally suitable. Impacts on migratory bird species would be avoided by conducting pre-construction surveys and avoiding construction at nesting locations until nesting activities are complete. BMPs would minimize or avoid impacts on wildlife.	Impacts would be the same as those described for Alternative 1.	No impacts.
Threatened and Endangered Species	No impacts on federally threatened and endangered species are anticipated due to lack of suitable habitat.	Impacts would be the same as those described for Alternative 1.	Impacts would be the same as those described for Alternative 1.	No impacts.

Table ES-1. Summary of Potential Environmental Impacts by Alternative

Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
Groundwater	Negligible adverse impacts on groundwater quality with implementation of BMPs – including a stormwater plan. There is minimal groundwater recharge in area. Minimal impacts on groundwater quantity from potable water consumption.	Impacts would be similar to those described for Alternative 1. Under Alternative 2, loss of groundwater recharge as irrigation would cease.	Impacts would be similar to or less than those described for Alternative 1. Under Alternative 3 there would be a decrease in the reliance on groundwater resources during operations.	Continued potential negative impacts from unmanaged stormwater.
Surface Waters and Waters of the United States (WOTUS)	Short- and long-term, minor, adverse impacts on surface waters during construction and maintenance, due to the potential for unmanaged stormwater flows and erosion. Erosion-control BMPs and stormwater management system would avoid or minimize adverse impacts. Short-term, minor, adverse impacts on surface water resources due to water use during construction. Long-term, minor, adverse impacts on water demand from the Yuma Utilities Systems Division (Colorado River is potable water source). Potable water demand	Impacts would be the same as those described for Alternative 1.	Impacts would be similar to or less than those described for Alternative 1. Under Alternative 3 there would be a decrease in the reliance on surface water resources during operations.	No impacts.

Table ES-1. Summary of Potential Environmental Impacts by Alternative

Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
	estimated at 6.4 to 10.9 million gallons per year and is less than 0.001 percent of municipal water demand in Yuma Basin. No impacts on wetlands or WOTUS features expected.			
Floodplains	Long-term, negligible, adverse impacts on floodplains due to permanently increased impervious surfaces (14 acres).	Long-term, negligible, adverse impacts due to vegetation clearing and permanently increased impervious surfaces (34 acres).	Impacts would be the same as those described for Alternative 1.	No impacts.
Air Quality	Short- and long-term, minor, adverse impacts on air quality from use of equipment, infrastructure, and vehicles during both construction and operation (including helicopter operations). Air emissions would not exceed the <i>de minimis</i> or PSD thresholds for any criteria pollutant. Fugitive dust emissions from construction would peak during the 2025 year at 88 tons of particulate matter measured less than or equal to 10 microns in	Impacts would be similar to those described for Alternative 1, except GHG emissions would be slightly lower at 3,817 tons (3,463 metric tons) during the construction period (i.e., 2024 through 2029).	Impacts from demolition and construction would be the same as described for Alternative 1. Impacts from operation and maintenance of the new JPC and ancillary support facilities would be less than those described for Alternative 1 as Alternative 3 would not include operation of emergency generators. Additionally, GHG emissions from operations would be slightly less than those described for	No impacts.

Table ES-1. Summary of Potential Environmental Impacts by Alternative

Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
	<p>diameter. Greenhouse gas (GHG) emissions measured as CO₂ equivalent would total 3,857 tons (3,499 metric tons) during the construction period (i.e., 2024 through 2029). BMPs and environmental control measures would minimize fugitive dust emissions and the release of GHGs.</p>		Alternative 1.	
Noise	<p>Short- and long-term, minor, adverse effects on the ambient noise environment from construction, operation (including intermittent helicopter use), and maintenance. School/church 1,300 feet north and civic center 3,500 feet north would experience noise levels consistent with the ambient noise environment. Use of the proposed helipad would be infrequent, and no helicopter would be stationed at the JPC. BMPs would be implemented to limit exposure on sensitive</p>	<p>Short- and long-term, minor, adverse effects on the ambient noise environment from construction, operation (including intermittent helicopter use), and maintenance. Residential area approximately 2,000 feet north, school/church 3,000 feet northeast, and the civic center 3,500 feet north would experience noise levels consistent with the ambient noise environment. Use of the proposed helipad would be infrequent, and no helicopter would be stationed at the JPC.</p>	Impacts from Alternative 3 would be the same as those described for Alternative 1.	No impacts.

Table ES-1. Summary of Potential Environmental Impacts by Alternative

Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
	noise receptors.	BMPs would be implemented to limit exposure on sensitive noise receptors.		
Cultural Resources	No impacts on cultural resources from operation and maintenance of the JPC. No visual impacts; nearby previously recorded resources not in the Proposed Action’s viewshed. Potential adverse impacts on unknown archaeological resources due to ground-disturbing activities. With implementation of BMPs, including CBP’s established standard operating procedures for inadvertent discoveries, impacts on unknown cultural resources would be avoided.	Impacts would be the same as those described for Alternative 1.	Impacts would be similar to those described for Alternative 1. Impacts on visual aesthetics would be negligible to minor.	No impacts.

Table ES-1. Summary of Potential Environmental Impacts by Alternative

Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
Utilities and Infrastructure	<p>Short- and long-term, negligible to minor, adverse impacts on electrical supply, natural gas/propane supply, wastewater systems, water systems, stormwater drainage, communications, and solid waste management. Potential interruption to electric, potable water service and sewer service due to disconnection from Swap Meet facilities/connection to new facility. Construction would generate approximately 6,112 tons from demolition of Swap Meet facilities and 391 tons of solid waste from construction and temporarily disturb natural stormwater drainage. Long-term impacts on stormwater management from addition of 14 acres of impervious surface. Operations would result in minor increase in electrical load, natural gas/propane supply, domestic water</p>	<p>Impacts would be similar to those described for Alternative 1. Under Alternative 2, there would be no potential for interruption to electric, potable water, and sewer systems at Yuma Swap Meet. Under Alternative 2 Swap Meet facilities would not be demolished, and the associated 6,112 tons of solid waste would not be generated. Long-term impacts on stormwater management from addition of 34 acres of impervious surface.</p>	<p>Impacts for Alternative 3 on the natural gas supply, stormwater drainage, communications system, and solid waste management would be the same as Alternative 1. Under Alternative 3, operations would result in long-term, negligible to moderate, beneficial impacts on the electrical supply infrastructure; negligible to minor, beneficial impacts on water supply infrastructure; and minor to moderate, beneficial impacts on the sanitary sewer and wastewater infrastructure would occur.</p>	<p>No impacts.</p>

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Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
	demand, wastewater processing needed, and minor reduction in communications bandwidth over current operations. BMPs would minimize or avoid impacts, where possible.			
Roadways and Traffic	Short- and long-term, minor, adverse impacts from increases in daily and peak hour traffic levels to support construction and operations. An additional 200 staff would travel to and from work at the JPC; the JPC would have the capacity to process 500, with a possibility of up to 1,000 undocumented noncitizens per day. Changes in traffic levels would not be expected to exceed current capacity. Traffic traveling in the immediate area Friday through Sunday to the Yuma Swap Meet would cease.	Impacts would be similar to those described for Alternative 1. Under Alternative 2, traffic traveling in the immediate area Friday through Sunday to the Yuma Swap Meet would continue.	Impacts would be the same as those described for Alternative 1.	No changes to roadways and traffic.

Table ES-1. Summary of Potential Environmental Impacts by Alternative

Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
Hazardous Materials and Wastes	<p>Short-term, minor, and long-term, negligible, adverse impacts from the storage and use of larger quantities of hazardous materials and petroleum products during operations, and the generation of hazardous wastes during construction. Short-term, negligible to minor, adverse impacts on special hazards would result from potential for exposure as the grandstand building is assumed to contain special hazards (e.g., asbestos-containing materials [ACM] and lead-based paint [LBP]). Demolition would be conducted in accordance with all federal, state, and local regulations as well as DHS management plans for these substances. Long-term, negligible, beneficial impacts on special hazards from the reduced potential for future human exposure to ACM and LBP would occur.</p>	<p>Short-term, minor, and long-term, negligible, adverse impacts from the storage and use of larger quantities of hazardous materials and petroleum products during operations, and the generation of hazardous wastes during construction. Under Alternative 2, no impacts on special hazards would occur.</p>	<p>Impacts would be the same as those described for Alternative 1.</p>	<p>No impacts.</p>

Table ES-1. Summary of Potential Environmental Impacts by Alternative

Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
Socioeconomic Resources, Environmental Justice, and Protection of Children	Short-term, minor, and long-term, negligible, beneficial impacts on the local economy and employment from construction expenditures and additional DHS personnel. Short-term, minor, adverse impacts on local economy and employment from closing and potentially relocating the Swap Meet. No changes to population or demographics as construction and operations workforce would likely be supplied from within Yuma County. Long-term, indirect, minor, adverse impacts on fire protection and emergency medical services. Minor impacts from increased noise and traffic during construction and operation. No disproportionately adverse human health and environmental impacts on minority and low-income populations or children.	Impacts would be similar to those described for Alternative 1. No impacts associated with the demolition and possible relocation of Swap Meet facility would occur under Alternative 2.	Impacts would be the same as those described for Alternative 1.	No impacts.

Table ES-1. Summary of Potential Environmental Impacts by Alternative

Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
Human Health and Safety	Short-term, negligible, adverse impacts on contractor safety due to increased risk of accidents. No impacts on the general public during construction. BMPs and safety measures would be incorporated. Short-term, negligible to minor, adverse impacts at Yuma International Airport could occur during construction. Yuma Airport and FAA would be contacted and coordinated with prior to construction to ensure no impacts from height and location of communications tower and crane use during construction. Impacts on health and safety from operation of the JPC could be long-term, minor, and beneficial relative to No Action.	Short-term, negligible, adverse impacts on contractor safety due to increased risk of accidents. No impacts on the general public during construction. BMPs and safety measures would be incorporated. Impacts on health and safety from operation of the JPC could be long-term, minor, and beneficial, relative to No Action. Demolition of the Swap Meet facilities would not occur; therefore, no impacts on contractor safety from exposure to special hazards.	Impacts on contractor safety and airport safety would be the same as those described for Alternative 1. Long-term, minor, adverse impacts on public health and safety from the potential for the evaporation pond associated with the vermifiltration systems to become a mosquito breeding area. However, the evaporation pond is not expected to contain water for long enough periods to become a mosquito breeding area. If mosquito breeding becomes apparent, DHS would coordinate with the Yuma County Public Health Services District to address the problem with an approved larvicide or other control method.	Long-term, minor, adverse impacts on DHS personnel and public safety from continued use of existing, inadequate SSFs.

Table ES-1. Summary of Potential Environmental Impacts by Alternative

Resource Area	Alternative 1	Alternative 2	Alternative 3	No Action Alternative
Sustainability and Greening	<p>Long-term, minor, beneficial impacts through implementation of sustainable design strategies to reduce consumption of energy, water, and raw materials, while meeting mission requirements.</p> <p>Long-term, minor, adverse impacts from disturbance of green and open spaces.</p>	<p>Impacts would be the same as those described for Alternative 1.</p>	<p>Impacts on the sustainability of resources and DHS operations from the incorporation of sustainability strategies would be similar to, but somewhat more beneficial than those described for Alternative 1 due to the additional net-zero technologies.</p>	<p>Long-term, minor to moderate, adverse impacts on resource sustainability from continued operation of existing SSFs. No impacts on green and open spaces.</p>

Finding of No Significant Impact

The EA was prepared according to the National Environmental Policy Act of 1969 (42 United States Code [U.S.C.] 4321 *et seq.*); CEQ, Regulations Implementing the Procedural Provisions of NEPA (40 CFR §§1500-1508); DHS Directive 023-01 Revision 01, Implementation of the National Environmental Policy Act; and other pertinent environmental statutes, regulations, and compliance requirements. DHS may consider options to include net-zero technologies that may alter the Proposed Action. Should this be the case additional environmental analysis may be warranted. The analyses described in the EA demonstrate that the Proposed Action would result in no significant impact on the environment. As a result, no additional analysis or documentation (i.e., Environmental Impact Statement) is required under NEPA or CEQ's Regulations Implementing the Procedural Provisions of NEPA. DHS would continue to utilize all practical means to minimize or avoid the potential for adverse impacts to the human and natural environment.

Conclusion

Based on the analysis of the EA, the undersigned finds that the Proposed Federal Action is consistent with the existing national environmental policies and objectives as set forth in NEPA, and implementation of the Yuma JPC would not result in a significant effect on the human or natural environment. Applicable Federal, state, and local laws and regulations will be followed.

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