FINDING OF NO SIGNIFICANT IMPACT

1.0 NAME OF ACTION

Environmental Assessment for the U.S. Border Patrol Station, Sierra Blanca, Texas.

2.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

An Environmental Assessment (EA) was prepared to evaluate the potential environmental impacts of constructing a U.S. Border Patrol Facility in Sierra Blanca, Texas. The new U.S. Border Patrol Station is being proposed in order to expand and accommodate operational functions while supporting present and future growth. Currently, U.S. Border Patrol Sierra Blanca Sector headquarters facilities are located in the town of Sierra Blanca, Texas. The current station is a 927-square foot building originally built to staff 5 agents. The facility is occupied by 31 agents. Operational functions such as detention cells and parking are either inadequate or not available. These facilities do not provide sufficient space for current or future border patrol operations.

No Action Alternative

Under this alternative, construction of the facility would not occur. Due to land availability constraints at the present location, expansion would not be an option. Staffing of agents would be limited, so effective border patrol operations would not occur. Without adequate infrastructure and space, employment would be limited. Illegal alien pressure would continue in the south, allowing more illegal alien trafficking.

3.0 ENVIRONMENTAL IMPACTS

3.1 Land Use

Land use and transportation in the local area would not be affected as a result of the proposed action. However, city infrastructure would need to be extended to the site. Prior to construction, the proposed site would also require a re-plat to be filed with the Hudspeth County Commissioners Court.

While the above-ground storage tanks are designed to meet Resource Conservation Recovery Act (RCRA) requirements, a spill prevention, control, and countermeasures (SPCC) plan is required for federal facilities that have an above-ground fuel storage tank greater than 1,320 gallons. As the aggregate above-ground storage is 22,000 gallons fuel, a SPCC is required prior to tank installation.

3.2 Biological Resources

The proposed site is currently used as open space and does not represent special habitat for any vegetation, threatened and endangered species, or wildlife. The existing vegetation and habitat types present on the proposed site are common and abundant in the general area. The surrounding properties are used as rangeland. No impact to biological resources would be expected under the proposed action.

3.3 Geology and Soils

There would be no significant long-term effects on soil and geology as a result of implementing the action. Impacts to soil as a result of the proposed action would be short term and minor. The soil and geology at the location of the proposed INS facility have few limitations for construction of buildings and roads. A Stormwater Pollution Prevention Plan, describing site-specific erosion control practices, will be developed prior to earthmoving.

3.4 Water Resources

The INS facility will use the city water and sewer system. Implementation of an SWPPP would reduce peak flows of stormwater runoff and slow its release, so that it would not cause a problem offsite. No impacts to wetlands or waters of the U.S. are expected as a result of the proposed action.

3.5 Air Quality

Under the proposed action, levels of fugitive dust at the project site may increase, depending on wind speeds and soil moisture content during the period of site construction. Such increases or impacts on ambient air quality during construction would be short-term and negligible. Pollutant emissions for the proposed construction activities could cause a short-term negligible impact to the air quality in the vicinity of the project site or the region. However, no long-term effects on air quality are anticipated.

3.6 Socioeconomics and Environmental Justice

Direct employment associated with the new facility is expected to increase from the current 31 agents to a total of 100 agents, representing an employment increase of 69 agents. An increase of this magnitude represents a direct employment impact of 3.5 percent relative to current employment level of 1,270 jobs. An employment change of this magnitude would improve the local economy. According to the Sierra Blanca Community Development Corporation, the community is already developing the necessary housing and public service capacity to accommodate the potential in-migrating population. A short-term beneficial impact would occur from construction

activities associated with this project. No significant impact is expected to socioeconomics.

3.7 Noise

Since the proposed action does not involve construction within a residential area, no impact is expected under the proposed action. Noise associated with construction activities would be temporary and produce no permanent effects. Since helicopter noise is already experienced around the site, no additional impacts from the proposed action are expected.

3.8 Cultural Resources

The proposed action will have no impacts on cultural and historical resources.

3.9 Aesthetics

Impacts to aesthetics would be minimal as a result of the proposed action. While the proposed site is located in a rural setting, development is not uncommon in the area.

4.0 CONCLUSION

On the basis of the findings of the Environmental Assessment, no significant impact is anticipated from the proposed project on human health or the natural environment. A Finding of No Significant Impact is warranted and an Environmental Impact Statement is not required for this action.

Richard Defenbeck 2-9-00

Mr. Richard Defenbeck Date
Director of Facilities,
Immigration and Naturalization Service

Environmental Assessment

U.S. Border Patrol Station,

Sierra Blanca, Texas

Prepared For:
Corps of Engineers, Albuquerque District
4101 Jefferson Plaza NE,
Albuquerque, NM 87109-3435

Prepared By:
Science Applications International Corporation
405 S. 8th Street, Suite 301
Boise, Idaho 83702

February 2000

TABLE OF CONTENTS

Section *Page*

EXECUTIVE SUMMARY **ES-1**

CHAPTER 1.0 INTRODUCTION **1**
1.1 Purpose and Need 1
1.1.1 Location 1
1.2 Regulatory Compliance 4
1.3 Organization of Document 5

CHAPTER 2.0 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVE **7**
2.1 Proposed Action 7
2.1.1 Facility Description 7
2.1.2 Employment Summary 9
2.1.3 Construction Program 9
2.1.4 Flight Operations 10
2.2 No Action Alternative 10
2.3 Cumulative and Indirect Impacts 10

CHAPTER 3.0 BASELINE CONDITIONS **13**
3.1 Land Use and Transportation 13
3.1.1 Land Use 13
3.1.2 Hazardous Materials/Waste 14
3.1.3 Transportation 14
3.2 Biological Resources 14
3.2.1 Threatened and Endangered Species 14
3.2.2 Vegetation 16
3.2.3 Wildlife 17
3.3 Geology and Soils 20
3.3.1 Geology 20
3.3.2 Soils 20
3.4 Water 21
3.4.1 Groundwater 21
3.4.2 Surface Water 21
3.4.3 Floodplains 22
3.5 Air Quality 22
3.5.1 Climate and Meteorology 22
3.5.2 Air Quality 22
3.6 Socioeconomics and Environmental Justice 22
3.6.1 Population 24
3.6.2 Employment 24
3.6.3 Environmental Justice and Protection of Children 24
3.7 Noise 25
3.8 Cultural Resources 25
3.8.1 Historic Setting 27
3.8.2 Existing Conditions 27
3.9 Aesthetics 28

Section *Page*

CHAPTER 4.0 ENVIRONMENTAL IMPACTS **29**
4.1 Land Use 29
4.1.1 Proposed Action 29
4.1.2 No Action 30
4.2 Biological Resources 30
4.2.1 Proposed Action 30
4.2.2 No Action 32
4.3 Geology and Soils 33
4.3.1 Proposed Action 33
4.3.2 No Action 33
4.4 Water Resources 33
4.4.1 Proposed Action 34
4.4.2 No Action 34
4.5 Air Quality 34
4.5.1 Proposed Action 34
4.5.2 No Action 35
4.6 Socioeconomics and Environmental Justice 35
4.6.1 Proposed Action 35
4.6.2 No Action 36
4.7 Noise 36
4.7.1 Proposed Action 36
4.7.2 No Action 37
4.8 Cultural Resources 37
4.8.1 Proposed Action 38
4.8.2 No Action 38
4.9 Aesthetics 38
4.9.1 Proposed Action 38
4.9.2 No Action 38

CHAPTER 5.0 LIST OF PREPARERS **39**

APPENDIX A CULTURAL RESOURCES SURVEY REPORT
APPENDIX B SCOPING LETTERS
APPENDIX C SCOPING AND EA DISTRIBUTION LISTS

FIGURES

Figure		*Page*
1	Regional Map of Sierra Blanca	2
2	Location Map of Proposed Border Patrol Facility, Sierra Blanca, Texas	3
3	Site Plan for Sierra Blanca Border Patrol Facility	8
4	Typical A-Weighted Sound Levels of Common Sounds	26

TABLES

Table		*Page*
1	Federal and State Listed Species	15
2	Texas and Federal Ambient Air Quality Standards	23

EXECUTIVE SUMMARY

A new U.S. Border Patrol Station is being proposed in order to expand and accommodate operational functions while supporting present and future growth. Currently, U.S. Border Patrol Sierra Blanca Sector headquarters facilities are located in the town of Sierra Blanca, Texas. The current station is a 927-square foot building originally built to staff 5 agents. The facility is currently used by 31 agents. Operational functions such as detention cells and parking are either inadequate or not available. These facilities do not provide sufficient space for current or future border patrol operations.

Two actions were analyzed in this Environmental Assessment, the proposed action and the no action alternative.

Overall, this project poses no environmental threats. Under the proposed action, only minor or negligible impacts would occur to land use biological resources, geology and soils, water resources, air quality, noise, socioeconomics, cultural resources, and aesthetics. Impacts to these resources are considered not significant.

Although not an impact, in regards to land use, city infrastructure would need to be extended to the site. Prior to construction, the proposed site would also need to be re-platted with the Hudspeth County Commissioners Court to account for the change to the type of development.

While environmental impacts are expected to be negligible, various federal requirements still need to be met. Two plans will be required to meet these federal standards. 1) A Storm Water Pollution Prevention Plan (SWPPP) will need to be developed prior to construction to prevent soil erosion; and (2) a spill prevention and countermeasures contingency (SPCC) plan is required for federal facilities that have an above-ground fuel storage tank greater than 1,320 gallons. As the proposed aggregate above-ground storage is 22,000 gallons of fuel, the SPCC plan is required prior to tank installation.

Under the no action alternative, construction of the facility would not occur. Due to land availability constraints at the present location, expansion would not be an option. Staffing of agents would be limited, so effective border patrol operations would not occur. Without adequate infrastructure and space, employment would be limited. Illegal alien pressure would continue in the south, allowing more illegal alien trafficking.

On the basis of the findings of the environmental assessment, no significant impact is anticipated from the proposed project on human health or the natural environment. A Finding of No Significant Impact is warranted and an Environmental Impact Statement is not required for this action.

A CULTURAL RESOURCES INVENTORY OF APPROXIMATELY 8 HECTARES IN SIERRA BLANCA, HUDSPETH COUNTY, TEXAS

Prepared by

Ronald R. Kneebone, Ph.D.
Archaeologist
U.S. Army Corps of Engineers
Albuquerque District

For

U.S. Immigration and Naturalization Service
and
U.S. Army Corps of Engineers
Albuquerque District

August 20, 1999

ABSTRACT

The U.S. Army Corps of Engineers Albuquerque District (Corps) on behalf of the U.S. Immigration and Naturalization Service (INS) proposes the construction of a new Border Patrol facility in the town of Sierra Blanca, Hudspeth County, Texas. An intensive pedestrian survey of approximately 8 hectares was conducted on August 12, 1999 by a Corps' archaeologist. No sites, features or artifacts were found in the project area or its immediate vicinity. Consultation with the Texas State Historical Commission has not identified any previously recorded historic properties that might be impacted by the project. The Corps is of the opinion, therefore, that the project will have no effect on the cultural resources of the region.

INTRODUCTION

The U.S. Army Corps of Engineers, Albuquerque District is proposing the construction of a new U.S. Border Patrol Border Station on behalf of the U.S. Immigration and Naturalization Service. The Station will be located in the town of Sierra Blanca, Texas (Table 1, Figure 1). The purpose of the new facility is to provide sufficient space for current and future operations of the Sierra Blanca Sector headquarters. Because of constraints on available land, future expansion will not be possible.

Table 1: Specific Location and Dimension Information for the Project Area:

USGS Quad: Sierra Blanca, TEX, 1:24,000 USGS Quad.

Legal Description:
The Common Corner of Sections 1, 2, 9, 10 of Block 61½ of Public School Land Blocks

UTM Coordinates:
Zone 13; 467915E 3448400N

The proposed facility design includes (Figure 2):

- An approximately 14,000 square foot office structure
- A sensor repair shop
- A vehicle fueling station
- A maintenance shop
- A kennel and equestrian facilities
- An impound area
- Parking
- Helicopter pad and fueling area
- Vehicle washrack

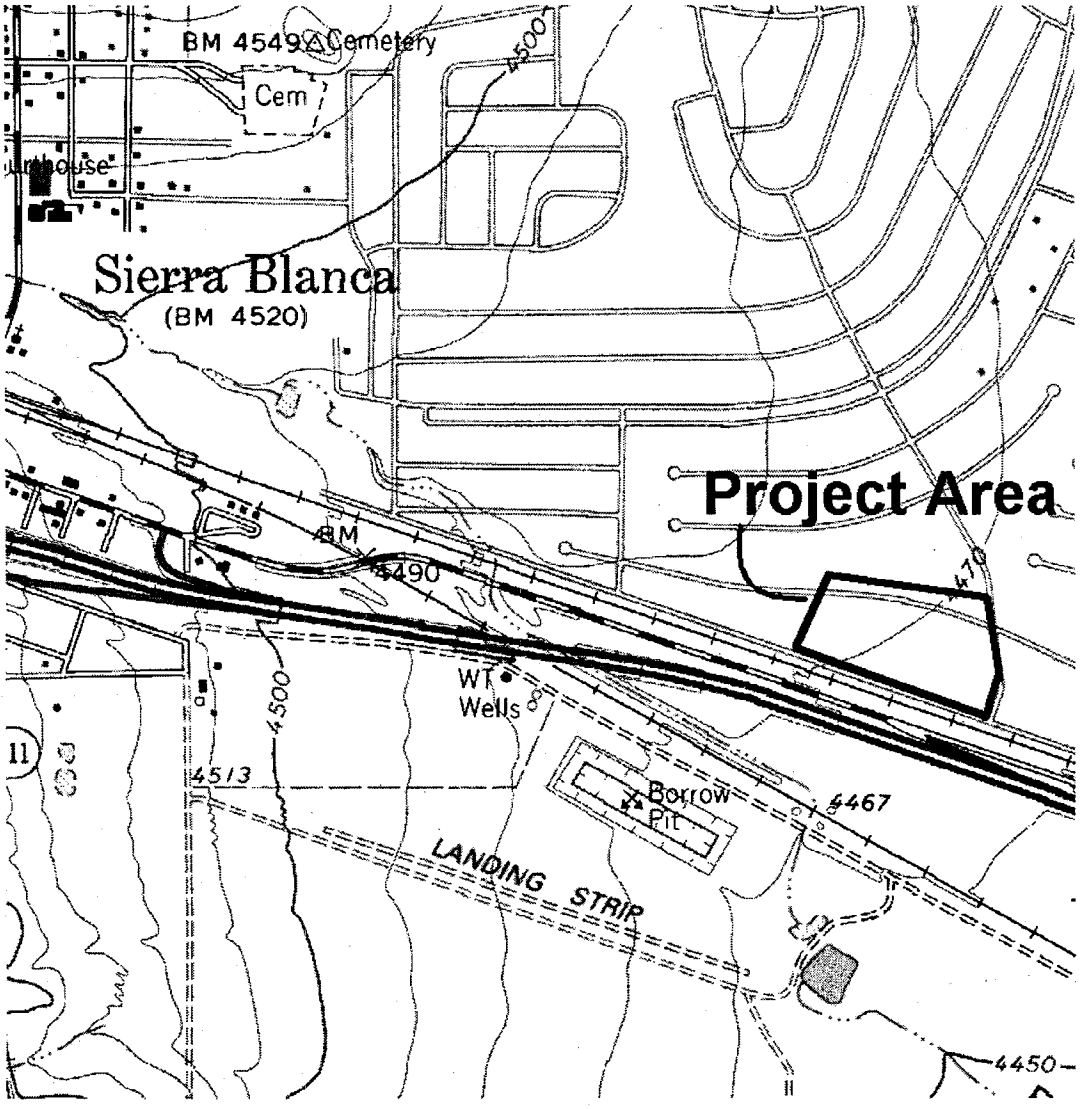

Figure 1: Sierra Blanca, TEX, 1:24,000 USGS Quad Showing Project Location.

ENVIRONMENT

The proposed project is located within the *Trans-Pecos Region.* This area contains the mountains, canyons, plateaus and plains between the Rio Grande valley on the west and the Pecos River valley on the east. The project area is located within true Basin and Range topography and the Rio Grande is the only permanently flowing stream in the area.

The climate of the area may be characterized as arid sub-tropical with an average total precipitation between 8.6 and 14.8 inches per year. Snowfall is rare and considered insignificant in the general precipitation regime. Annual temperature extremes vary between approximately 0° F during December and January and mid-summer daytimes highs between 95 ° and 100 ° F. Prevailing northerly winds average around 9 miles per hour.

METHODOLOGY

An intensive pedestrian survey employing parallel transects spaced approximately 20 meters apart was performed by a Corps' archaeologist on August 12, 1999. The survey covered 100% of the project area (approximately 8 hectares)

BRIEF CULTURAL OVERVIEW

The majority of comprehensive archaeological investigations in the area date to the 1930's and 1940's. Since the mid-1960's cultural resource studies have been performed as a result of heritage management requirements. These later research efforts have focused on reconnaissance activities - typically pedestrian survey and limited site testing (Winchell, et. al. 1992).

The history of the region is generally divided into distinct prehistoric and historic chronological periods. The Prehistoric Era is typically subdivided into Paleo-Indian (10,000-6500 BCE), Archaic (6500 BCE - ACE 1000), Late Prehistoric (ACE 1000-1600) time periods. The Historic Era is composed of Spanish (ACE 1535-1659), Mexican (ACE 1659-1821), Texas Republic/19th century American (ACE 1821-1900), and 20th century American chronological periods (ACE 1900-present). These periods and their subdivisions are generally defined by diagnostic artifacts (usually prehistoric projectiles points) or historically documented events.

Low-density scatters of lithic artifacts characteristically represent the prehistoric archaeology of the Trans-Pecos. Although complex sites with stratified deposits are known from the region, they are confined to limited geographic settings - specifically cave/rock shelters and the Rio Grande valley. Historic Era properties predominate in the upland, interior areas of the Trans-Pecos. The architecture and remains associated with Euro-American expansion - e.g., ranching, military facilities, mining and the railroad - comprise the most substantive portion of the cultural record.

PREVIOUS CULTURAL RESOURCES STUDIES

No cultural resources studies have been previously conducted in the immediate project vicinity.

RESULTS OF SURVEY

No artifacts, features or sites were identified by the survey. Consultation with the Texas Historical Commission identified no other historic or cultural properties likely to impacted by the proposed undertaking.

RECOMMENDATIONS

It is the opinion of the Corps of Engineers that the proposed undertaking will have no effect on the cultural and historic resources of the region. In the event that any unanticipated resource is encountered during construction, work shall be halted in the vicinity of the resource until its ultimate disposition can be determined in consultation with the Texas Historical Commission and other interested parties.

REFERENCES CITED

Winchell, F., G. Brown, M.B. Cliff, and S.K. Edwards
1992 **Cultural Resources Monitoring/Survey of a JTF-6 Action, Van Horn, Texas Sector.** Miscellaneous Report of Investigations, #33. Geo-Marine: Plano, TX

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To manage and conserve the natural and cultural resources of Texas for the use and enjoyment of present and future generations.

October 8, 1999

Ms. Michele Fikel
Science Applications International Corporation
405 South 8th Street, Suite 301
Boise, Idaho 83702

RE: Construction of U.S. Border Control Facility, Sierra Blanca, Hudspeth County.

Dear Ms. Fikel:

This letter is in response to your request for review of the environmental report prepared to identify the impacts associated with the construction the new U.S. Border Control facility referenced above. Texas Parks and Wildlife department staff have reviewed the document and have the following comments concerning this project.

The proposed complex would be constructed on a 19.83-acres of undeveloped land. In addition to the facilities mentioned in my last letter (August 4, 1999), a 180-foot microwave tower and fire tank and pumphouse station will also be constructed. Water and sewer line will be installed and connected to the City of Sierra Blanca's system.

Collisions with communications towers (cellular, radio, microwave, and television) and electrocution are a known causes avian mortality. In order to reduce avian mortality, the Department recommends that this microwave tower be marked to reduce collisions and designed to eliminate potential for electrocution. Marking the tower and guyed lines with appropriate balls and/or streamers can reduce collisions by increasing visibility to birds. Moreover, recent studies have indicated that bird casualties would be dramatically reduced by the utilization of red (not white) beacon flashing lighting on towers. Apparently, the alternating periods of light and darkness enable the birds to adjust, become aware of their surroundings, and avoid tower structures. Please design power connections to avoid bird electrocutions. There is a web site (http://www.towerkill.com) that contains information about prevention of bird electrocution. If you would like more information about bird electrocution, please contact me.

The proposed site is characterized as open space that is habitat for a high diversity of wildlife species associated with Chihuahuan Desert. The environmental assessment document states that 20 acres of Chihuahuan Desert vegetation will be cleared or impacted through daily use. It states further that the construction, operation, and maintenance of this facility will result in the loss of

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20 acres of wildlife habitat. In general the Department recommends that all activities should be performed to minimize the amount of existing native flora and fauna disturbed. Mature trees (12-inch diameter at breast height) or native brush should be avoided. If trees are lost, particularly those that produce nuts, acorns, or fruits valuable to wildlife, then additional trees should be planted at a frequency of at least three trees planted for every tree lost.

I mentioned in my last letter the rare plants that occur in the vicinity of the project site. If you have questions about these plants, please contact TPWD botanist Jackie Poole at (512) 912-7019.

The environmental assessment document states that the site will be landscaped with drought-resistant, low-maintenance plants consistent with the desert environment. An irrigation system will be installed. Irrigation, when needed, should emphasize drip or low flow subsurface applications. Native plant and forage species beneficial to fish and wildlife endemic to the project area should be used in landscape design plans. The establishment of native vegetation that is valuable to wildlife would offset some of the negative impact of this project. Establish a relatively high diversity of native vegetation to allow for a high variability flowers and fruits to provide wildlife food throughout the year. Native plants are adapted to the local environment and will persist through periods of environmental stress. Most exotic plants cannot similarly persist and are also overrated as wildlife food and cover. However, a few exotic species can establish themselves by out-competing native plants. They then become serious persistent pests, difficult if not impossible to control or eradicate. Exotic species should, therefore, be omitted from permanent landscape plans. Minimize the use of turf grasses while maximizing the use of woody shrubs to reduce moisture evaporation from the soil. Where turf grasses are required, native species that spread vigorously with rhizomes and stolons such as buffalograss should be used. Please contact me for a list of site specific plants that are valuable to wildlife.

Where runoff is a problem, please implement measures to prevent erosion until native vegetation has been reestablished on disturbed areas. Soil erosion prevention techniques include hay bales and silt screens. In order to enhance the stabilization of exposed soils, newly graded areas should be seeded or sodded with native grasses, while graded embankments should not exceed a 4:1 slope. Runoff control measures should be maintained until native plants have been reestablished on disturbed areas.

This project includes plans to construct air operations building and helicopter pad in 4 to 5 years. Helicopters will not be housed at this border control facility. It will serve as a refueling station. Many wildlife travel corridors associated with both mammals and birds are associated with the various mountain ranges and interconnecting passes within this entire region. When in close proximity to mountains or passes, the risks of strikes with birds or bats (whether resident or migratory) during low level aircraft flights should be considered high. Little information exists concerning the overall biological or behavioral effects of low altitude flights by aircraft on wildlife. Adverse effects would be lessened by selection of higher flight altitudes. To minimize possible disturbances to wildlife, all flights should maintain a minimum of 800 feet AGL if possible. To minimize disturbance to bats and wildlife with crepuscular activity periods, flights should be scheduled before or after twilight periods.

You should be aware of flight operation parameters conducted by pilots of this Department. This information is provided to identify potential for midair collisions between the INS and Department aircraft. Department wildlife surveys and law enforcement flights in this area are conducted under VFR flight rules with single and multiengine STOL type aircraft at altitudes of 100 to 300 feet AGL. These flights typically operate from sunrise to 11:00 a.m. and from 6:00 p.m. to dark at airspeeds below 100 knots and on routes which follow lines of latitude and longitude by dead reckoning, loran, or GPS over an entire county. The wildlife survey flights occur primarily during the months of August, September, and October. Department aircraft are also used for night law enforcement surveillance during November, December, and January under VFR flight rules at altitudes of 3000 to 4000 feet and at airspeeds below 150 knots. Dissimilarity of aircraft and operational mission dictates caution for aircrews of our organizations.

I appreciate the opportunity to review and comment on your project. If you have any questions or require further assistance, please contact me in San Marcos at (512) 396-9211 or by e-mail at rfields@itouch.net.

Sincerely,

Renée Fields

Renée Fields
Wildlife Habitat Assessment Program
Wildlife Division

/jrf

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To manage and conserve the natural and cultural resources of Texas for the use and enjoyment of present and future generations.

August 4, 1999

Ms. Michele Fikel
Science Applications International Corporation
405 South 8th Street, Suite 301
Boise, Idaho 83702

RE: Construction of U.S. Border Control Facility, Sierra Blanca, Hudspeth County, Texas.

Dear Ms. Fikel:

This letter is in response to your request for review of the environmental report prepared to identify the impacts associated with construction of the project referenced above. Texas Parks and Wildlife department staff has reviewed the document and has the following comments concerning this project.

The project involves the construction of a complex to provide office and detention space, parking areas, and maintenance shops. The facility will also include a dog kennel, equestrian barn and corral, helicopter pad, petroleum fueling stations, perimeter fence and security systems. The construction site is described as a 15-acre undeveloped parcel of land. The impact to wildlife habitat by this project cannot be predicted because of the lack of information about the natural resources at the site. Some additional data helpful to biological review are the following: description of vegetation communities affected by construction plans and amount of acreage affected, description of aquatic resources present on site, and documentation verifying the credentials of person(s) assessing habitat. Aerial photos and topographic maps of the proposed sites are also helpful. I am enclosing *Texas Parks and Wildlife Department Suggested Guidelines for Preparation of Environmental Assessment Documents* for your assistance.

A search of the Texas Biological and Conservation Data System (BCD) revealed known occurrences of the following three rare plants in the general vicinity of the proposed project: Chisos agave, desert night-blooming cereus, and Texas wolf-berry. Chisos agave (*Agave glomeruliflora*) is given the global rank G2. This global rank indicates 6-20 occurrences are known globally. It is imperiled and is considered to be vulnerable to extinction throughout its range. It receives the state rank S2 (in danger of being extirpated from the state) and federal rank FC2 (formerly Category 2, some considered "species of concern"). Desert night-blooming cereus (*Cereus greggi* var. *greggi*) is a cactus that ranks G4T2, S2, and FC2. Global status of G4T2 means that more than 100 occurrences are known globally, though it may be rare in parts of its range. A state ranking of S2 indicates that 6-20 occurrences are known in Texas. It is considered

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imperiled and vulnerable to extirpation from the state. Texas wolf-berry (*Lycium texanum*) is ranked G2, S2, and FC2. The BCD information is based on the best data currently available to the state regarding threatened, endangered, or otherwise sensitive species. Considering the known occurrences of three rare plants (two globally rare and all three in danger of being extirpated from the state) at your site, the Department recommends that the presence of rare, threatened, and endangered species at the proposed project site be determined by a qualified biologist. This information is intended to assist you in avoiding harm to species that occur at your site. **Please contact one of the Texas Parks and Wildlife BCD Information Managers before publishing data or otherwise disseminating any specific locality information (512-912-7011).** To further assist with your evaluation, please find enclosed a list of special species that occur within Hudspeth County.

I appreciate your coordination during the planning stages of this project. Please call me in San Marcos at 512-396-9211 if you have any questions or would like more information.

Sincerely,

Renée Fields

Renée Fields
Wildlife Habitat Assessment Program
Wildlife Division

/jrf

Attachments

Texas Parks and Wildlife Department Suggested Guidelines for Preparation of Environmental Assessment Documents

Following is an outline of categories of information needed to evaluate a proposed project or action. Every effort should be made to supply quantified data. If subjective data is all that can be supplied, documentation verifying the credentials of the data collector should be provided.

Categories considered essential for adequate biological review by this agency are noted by an asterisk (*). Depending on the complexity and scope of the proposed project or action, or requirements by other agencies, all the items listed below may be required.

Whenever practical, environmental documents should be supported by aerial photography, topographic maps, schematics, charts, tables, etc. with minimum narrative sufficient to describe, quantify, and qualify the data.

A. Project Description

* • Identify who is proposing the project.
* • Identify who is conducting the assessments and provide credentials of this person(s).
* • Describe the purpose of the project.
* • Define the scope of work.
* • Identify the project area and study area (total acres, miles of ROW)
* • Identify the time table projected for the entire project
* • Describe any required coordination and review for the project.
* • List or describe any required public input.
• Provide historical information significant to the project.

B. Description of the Affected Environment

1. Natural Resources

• Describe the geology within the study area.
* • Describe the soils present and their characteristics.
* • Describe the landform (topography) and the natural processes impacting the present landform.
• Describe the climatic factors affecting the study area.
* • Describe the supply and quality of surface water resources in the study area.
* • Describe the supply and quality of groundwater resources including aquifer recharge zones occurring within the study area.
* • Describe natural hazards affecting the study area, i.e. tidal influences, flood activity, etc.).
• Describe the quality of the air in the study area.

* • Describe the vegetation communities (cover type) specifically impacted by the project to include: dominant plant species, estimated height of trees, woody shrubs or brush; and estimated canopy coverage of woody vegetation. Total acreage of each cover type disturbed by the project should also be listed.

* • Describe the fauna that would be associated with the dominant vegetation cover types identified above.

* • Identify "sensitive" ecosystems which occur in the study area such as: springs, streams, rivers, floodplains, vegetation corridors, bottomland hardwoods, wetlands, bays, estuaries, native grasslands, etc.

* • Describe the occurrence of threatened/endangered species (or their habitats) and unique or rare natural communities which occur in the study area.

a. On site inspection of the study area for permanent or seasonal occurrence.

b. On site inspection of the study area for occurrence of habitat.

c. Interviews with recognized experts on all species with a potential of occurrence.

d. Literature review of data applicable to a potential occurring species concerning species distribution, habitat needs, and biological requirements.

2. Cultural Resources

* • Identify public use and open space areas in the vicinity of the proposed project such as parks, natural areas, wildlife preserves and management areas.

• Identify previous, present, and proposed land uses within the study area.

• Identify significant archeological features within the study area.

• Identify significant historical features in the study area with special consideration of "National Register of Historic Places" properties.

• Identify rights-of-ways, easements, public utilities, and transportation features within the study area.

• Identify noise pollution sources and current noise levels within the study area.

• Identify existing and proposed public health and hazardous waste facilities which exist in the study area such as land fills, hazardous waste sites, wastewater treatment facilities, septic tanks, etc.

• Identify socioeconomic factors, if applicable.

*C. Project Alternatives

List and describe project alternatives (including "no action") and associated impacts (direct and indirect) to described resources. If the project is potentially large in scope, cumulative effects with other similar projects may be required.

*D. Mitigation

A major responsibility of TPWD is to conserve and protect the state's fish, wildlife, and plant resources. Certain categories of these biotic resources warrant special consideration. These include habitats that are locally and regionally scarce, habitats supporting unique species or communities, stream and river ecosystems, bays, estuaries, wetlands, bottomland hardwoods, and native grasslands. All projects which could adversely affect these resources should be fully evaluated, and where possible, implementation of less damaging alternatives undertaken. If it is determined that a project or action will potentially affect fish, wildlife or plant resources, a process for adverse impact reduction should be initiated. Mitigation measures should be developed and implemented sequentially as follows:

1. AVOIDANCE: Avoiding adverse impacts through changes in project location, design, operation, or maintenance procedures, or through selection of other less damaging alternatives to the project or action.

2. MINIMIZATION: Minimizing impacts and by project modification or rectification to restore or improve impacted habitat to pre-project condition; or through reducing the impacts over time by preservation and maintenance operations during the life of the project or action.

3. COMPENSATION: Compensating for unavoidable impacts by providing replacement or substitute resources (including appropriate management) for losses caused by project construction, operation, or maintenance.

Mitigation should be an integral part of any action or project which adversely affects fish, wildlife, and habitats upon which they depend. Failure to adequately avoid or minimize adverse impacts or to adequately compensate for unavoidable losses of natural resources is a serious deficiency in any project plan and may cause delays in this Department's review and assessment of the adverse impacts upon fish & wildlife resources. In assessing project impacts, reasonable foreseeable secondary and cumulative impacts should be included.

*E. Coordination

Provide copies of pertinent coordination correspondence.

*F. Document Preparers and Their Qualifications

*G. Bibliography

(references: 40 CFR Parts 1500-1508 and various EPA handouts concerning Environmental Assessment documentation.)

TEXAS PARKS AND WILDLIFE DEPARTMENT
ENDANGERED RESOURCES BRANCH
SPECIAL SPECIES LIST
HUDSPETH COUNTY

Revised:
98-04-30

Scientific Name	Common Name	Federal Status	State Status
*** BIRDS			
EMPIDONAX TRAILLII EXTIMUS	SOUTHWESTERN WILLOW FLYCATCHER	LE	E
FALCO PEREGRINUS ANATUM	AMERICAN PEREGRINE FALCON	LE	E
FALCO PEREGRINUS TUNDRIUS	ARCTIC PEREGRINE FALCON	E/SA	T
*** INSECTS			
CICINDELA POLITULA BARBARANNAE	BARBARA ANN'S TIGER BEETLE		
*** MAMMALS			
CYNOMYS LUDOVICIANUS ARIZONENSIS	ARIZONA BLACK-TAILED PRAIRIE DOG		
GEOMYS ARENARIUS	DESERT POCKET GOPHER		
MYOTIS THYSANODES	FRINGED MYOTIS BAT		
MYOTIS VELIFER	CAVE MYOTIS BAT		
*** REPTILES			
PHRYNOSOMA CORNUTUM	TEXAS HORNED LIZARD		T
PHRYNOSOMA HERNANDESI	MOUNTAIN SHORT-HORNED LIZARD		T
TRACHEMYS GAIGEAE	BIG BEND SLIDER		
TRIMORPHODON BISCUTATUS	TEXAS LYRE SNAKE		T
*** VASCULAR PLANTS			
AGAVE GLOMERULIFLORA	CHISOS AGAVE		
ASTRAGALUS GYPSODES	GYP LOCOWEED		
BRICKELLIA BRACHYPHYLLA VAR TERLINGUENSIS	TERLINGUA BRICKELLBUSH		
CEREUS GREGGII VAR GREGGII	DESERT NIGHT-BLOOMING CEREUS		
CHAETOPAPPA HERSHEYI	MAT LEASTDAISY		
CHAMAESYCE GEYERI VAR WHEELERIANA	WHEELER'S SPURGE		
CHAMAESYCE GOLONDRINA	SWALLOW SPURGE		
CORYPHANTHA DASYACANTHA VAR DASYACANTHA	DENSE CORY CACTUS		
LEPIDOSPARTUM BURGESSII	GYPSUM SCALEBROOM		
LESQUERELLA VALIDA	STRONG BLADDERPOD		
LYCIUM TEXANUM	TEXAS WOLF-BERRY		
NOLINA ARENICOLA	SAND SACAHUISTA		
OPUNTIA ARENARIA	SAND PRICKLY-PEAR		
POLYGALA RIMULICOLA VAR RIMULICOLA	ROCK CREVICE MILKWORT		
PSEUDOCLAPPIA WATSONII	WATSON'S FALSE CLAPPIA-BUSH		
SCLEROCACTUS PAPYRACANTHUS	PAPER-SPINE CACTUS		
SCUTELLARIA LAEVIS	SMOOTH-STEM SKULLCAP		

----- continued next page -----

Codes:

LE,LT	- Federally Listed Endangered/Threatened
PE,PT	- Federally Proposed Endangered/Threatened
E/SA,T/SA	- Federally Endangered/Threatened by Similarity of Appearance
C1	- Federal Candidate, Category 1; information supports proposing to list as endangered/threatened
DL,PDL	- Federally Delisted/Proposed Delisted
E,T	- State Endangered/Threatened

Species appearing on these lists do not all share the same probability of occurrence within a county. Some species are migrants or wintering residents only. Additionally, a few species may be historic or considered extirpated within a county. Species considered extirpated within the state are so flagged on each list. Each county's revised date reflects the last date any changes or revisions were made for that county, to reflect current listing statuses and taxonomy.

United States Department of the Interior

FISH AND WILDLIFE SERVICES

Austin Ecological Services Office
Hartland Bank Building
10711 Burnet Road, Suite 200
Austin, Texas 78758
(512)490-0057

AUG 17 1999

2-15-99-I-0582

Michele Fikel
Science Applications International Corporation
405 S. 8th Street, Suite 301
Boise, Idaho 83702

RE: Species List Request/Proposed Construction of U.S. Border Patrol Facility, Sierra Blanca, Hudspeth County, Texas

Dear Ms. Fikel:

This responds to your letter, dated July 12, 1999, requesting the most current list of federally listed or proposed threatened and endangered species that may occur in Hudspeth County, Texas. It is our understanding that the U.S. Army Corps of Engineers, Albuquerque District, is working with the Immigration and Naturalization Service to prepare an Environmental Assessment to evaluate the potential environmental impacts of a new U.S. Border Patrol Border Station at Sierra Blanca.

We have enclosed the information you requested. We have also enclosed pertinent excerpts from "Threatened and Endangered Species of Texas - Revised June 1995," a publication that contains general information on the habitat requirements of the federally listed species. This information should serve only as a general guide. We suggest that you evaluate habitat that is to be modified by any proposed activity to determine if it is suitable for any federally listed or proposed threatened or endangered species. If suitable habitat exists on or adjacent to proposed activities and impacts to the habitat are anticipated, we recommend that you consult with us further.

We appreciate your concern for fish and wildlife resources and look forward to providing comments on the draft Environmental Assessment. If we can be of further assistance, please contact Nathan Allan at (512) 490-0057.

Sincerely,

for David C. Frederick
Supervisor

Enclosures

Federally Listed as Threatened and Endangered Species of Texas
June 30, 1999

This list represents species that may be found in counties throughout the state. It is recommended that the field station responsible for a project area be contacted if additional information is needed (see enclosed map).

DISCLAIMER

This County by County list is based on information available to the U.S. Fish and Wildlife Service at the time of preparation, date on page 1. This list is subject to change, without notice, as new biological information is gathered and should not be used as the sole source for identifying species that may be impacted by a project.

Edwards Aquifer species: (Edwards Aquifer County) refers to those six counties within the Edwards Aquifer region. The Edwards Aquifer underlies portions of Kinney, Uvalde, Medina, Bexar, Hays, and Comal Counties (Texas). The Service has expressed concern that the combined current level of water withdrawal for all consumers from the Edwards Aquifer adversely affects aquifer-dependent species located at Comal and San Marcos springs during low flows. Deterioration of water quality and/or water withdrawal from the Edwards Aquifer may adversely affect eight federally-listed species.

Comal Springs riffle beetle	(E)	*Heterelmis comalensis*
Comal Springs dryopid beetle	(E)	*Stygoparnus comalensis*
Fountain darter	(E w/CH)	*Etheostoma fonticola*
Peck's cave amphipod	(E)	*Stygobromus (=Stygonectes) pecki*
San Marcos gambusia	(E w/CH)	*Gambusia georgei*
Texas wild-rice	(E w/CH)	*Zizania texana*
Texas blind salamander	(E)	*Typhlomolge rathbuni*
San Marcos salamander	(T □w/CH)	*Eurycea nana*

* The Barton Springs salamander is found in Travis County but may be affected by activities within the Barton Springs Segment of the Edwards Aquifer, which includes portions of Northern Hays County.

Migratory Species Common to many or all Counties: Species listed specifically in a county have confirmed sightings. If a species is not listed they may occur as migrants in those counties.

American peregrine falcon	(E‡)	*Falco peregrinus anatum*
Least tern	(E ˜)	*Sterna antillarum*
Whooping crane	(E w/CH)	*Grus americana*
Arctic peregrine falcon	(TSA)	*Falco peregrinus tundrius*
Bald eagle	(T)	*Haliaeetus leucocephalus*
Piping plover	(T)	*Charadrius melodus*
Loggerhead shrike	(SOC)	*Lanius ludovicianus*
White-faced ibis	(SOC)	*Plegadis chihi*

Hudspeth County

American peregrine falcon	(E‡)	*Falco peregrinus anatum*
Northern aplomado falcon	(E)	*Falco femoralis septentrionalis*
Southwestern willow flycatcher	(E‡)	*Empidonax traillii extimus*
Mexican spotted owl	(T‡))	*Strix occidentalis lucida*
Watson's false clappia-bush	(SOC)	*Pseudoclappia watsonii*
Ferruginous hawk	(SOC)	*Buteo regalis*
Northern goshawk	(SOC)	*Accipiter gentilis*
Western burrowing owl	(SOC)	*Athene cunicularia hypugea*

White-faced ibis	(SOC)	*Plegadis chihi*
Desert pocket gopher	(SOC)	*Geomys bursarius arenarius*
Occult little brown bat	(SOC)	*Myotis lucifugus occultus*
Texas horned lizard	(SOC)	*Phrynosoma cornutum*
Barbara Ann tiger beetle	(SOC)	*Cicindela politula barbarannae*
Chisos agave	(SOC)	*Agave glomeruliflora*
Dense cory cactus	(SOC)	*Coryphantha dasyacantha dasyacantha*
Desert night-blooming cereus	(SOC)	*Cereus greggii* var. *greggii*
Gypsum scalebroom	(SOC)	*Lepidospartum burgessii*
Mat leastdaisy	(SOC)	*Chaetopappa hersheyi*
Paper-spined cactus	(SOC)	*Sclerocactus papyracanthus*
Sand prickly-pear	(SOC)	*Opuntia arenaria*
Sand sacahuista	(SOC)	*Nolina arenicola*
Smooth-stem skullcap	(SOC)	*Scutellaria laevis*
Swallow spurge	(SOC)	*Chamaesyce golondrina*
Terlingua brickelbush	(SOC)	*Brickellia brachyphylla* var. *terlinguensis*
Texas wolfberry	(SOC)	*Lycium texanum*

INDEX

Statewide or areawide migrants are not included by county, except where they breed or occur in concentrations. The whooping crane is an exception; an attempt is made to include all confirmed sightings on this list.

E	=	Species in danger of extinction throughout all or a significant portion of its range.
T	=	Species which is likely to become endangered within the foreseeable future throughout all or a significant portion of its range.
C	=	Species for which the Service has on file enough substantial information to warrant listing as threatened or endangered.
CH	=	Critical Habitat (in Texas unless annotated ‡)
P/	=	Proposed ...
P/E	=	Species proposed to be listed as endangered.
P/T	=	Species proposed to be listed as threatened.
TSA	=	Threatened due to similarity of appearance.
SOC	=	Species for which there is some information showing evidence of vulnerability, but not enough data to support listing at this time.
□	=	with special rule
‡	=	CH designated (or proposed) outside Texas
~	=	protection restricted to populations found in the "interior" of the United States. In Texas, the least tern receives full protection, except within 50 miles (80 km) of the Gulf Coast.

STATUS: Endangered (35 FR 16047-October 13, 1970; 35 FR 8495-June 2, 1970; 49 FR 10526-March 20, 1984) with critical habitat designated in California.

DESCRIPTION: A reclusive, crow-sized falcon, having a wingspan of about 3.5 feet. American peregrine falcons are slate gray above, streaked or barred below, and have a black head with a vertical stripe below the eyes. They are very adept hunters and exceedingly fast flyers, reaching speeds of more than 200 mph in dives on prey. The dark brown or blue-gray backs of peregrines distinguish them from the sandy brown prairie falcon. Overall coloring darker than the Arctic peregrine falcon.

HABITAT: Generally, areas with high, massive cliffs and commanding views, preferably near water or ecotones where avian prey are diverse and abundant. Preferred hunting areas are meadows, riverbottoms, marshes, coastlines and lakes. Preferred nesting habitats are high cliffs, usually in mountainous areas near water or lakes with cliff faces at least 200 feet tall. The Gulf coast of Texas and Mexico is important migratory habitat.

DISTRIBUTION:

Present: Historic areas throughout its range in eastern and western North America are now largely reoccupied with help from reintroduction efforts. Nesting birds are known from the Trans-Pecos area of Texas. Migrant populations have been reported statewide in Texas. They have not been known to nest in eastern Texas.

Historic: Breeding range extended from Canada to Alaska south to Baja California, central Mexican highlands, northwestern Mexico, and included the continental U.S. (except the southeastern quarter).

THREATS AND REASONS FOR DECLINE: Reproductive failure due to pesticides, indiscriminate shooting, recreational use and development, and illegal collecting.

OTHER INFORMATION: The original recovery plan (1977) was revised in 1984. Overgrazing reduces the carrying capacity of prey species. Primary recovery effort involves monitoring nesting activities and contaminant levels. The greatest number of breeding pairs are in the southwestern U.S. The average number of young in Big Bend National Park was 1.25 young/nest in 1991.

REFERENCES:

Johnson, B.S. 1976. Peregrine falcons in west Texas: Results of the 1976 nesting survey. The Chihuahuan Desert Research Institute, Alpine, Texas.

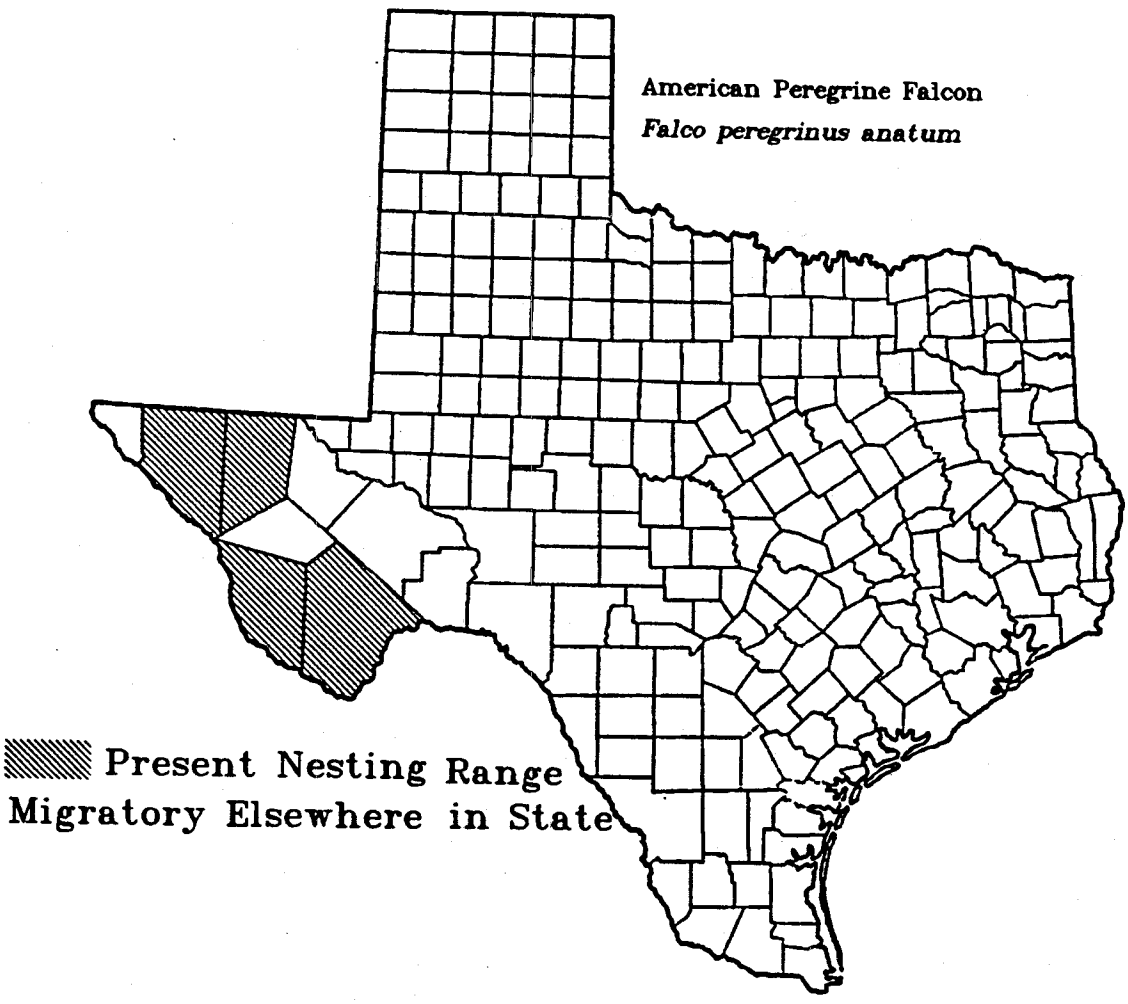
Oberholser, H.G. and E.B. Kincaid. 1974. The Bird Life of Texas. University of Texas Press. Austin, Texas.

Skaggs, R.E., D.H. Ellis, T.H. Johnson, W.G. Hunt, D. Sharp, and B.R. McKinney. 1977. Species status reports:peregrine falcon. In R.L. Glinski, B.G. Pendleton, S.W.Hoffman, and B.A. Hillsup (eds.) Proc. Southwest Raptor Management Symposium and Workshop. National Wildlife Federation, Washington, D.C.

U.S. Fish and Wildlife Service (USFWS). 1980. Selected Vertebrate Endangered Species of the Seacoast of the United States. U.S. Department of the Interior, USFWS, FWS/OBS 80/01.57, Washington, D.C., 14pp.

----------. 1984. American Peregrine Falcon Recovery Plan, Rocky Mountain and Southwest Population. USFWS, Endangered Species Office, Albuquerque, NM.

REV. DATE 6/95



Map **only** shows Texas range

STATUS: Threatened (58 FR 14248 March 16, 1993) without critical habitat.

DESCRIPTION: The Mexican spotted owl closely resembles the larger, barred owl, but the plumage is browner with numerous white spots above and below; posterior under parts have short, horizontal bars or spots rather than long, vertical streaks. They are the largest brown-eyed, ear-tuftless owls in their range.
Their length is 17.5 inches with a wingspan of 3.5 feet.

HABITAT: It commonly inhabits mountains and canyons containing dense, uneven-aged forests with a closed canopy. This species is found in Texas in coniferous forests of pine and Douglas fir (*Pseudotsuga menziesii*) in remote, shady canyons.

DISTRIBUTION:

Present: The Mexican spotted owl's range extends from the southern Rocky Mountains in Colorado and the Colorado Plateau in southern Utah, southward through Arizona and New Mexico, and far western Texas through the Sierra Madre Occidental and Oriental to the mountains at the southern end of the Mexican Plateau.

Historic: Its historic range and present distribution are thought to be similar.

THREATS AND REASONS FOR DECLINE: The Mexican spotted owl is threatened by habitat loss caused by logging and fires, increased predation associated with habitat fragmentation, and lack of adequate protective regulations.

OTHER INFORMATION: At least one pair has occupied McKittrick Canyon in Guadalupe Mountain National Park since 1938. A recent "road kill" specimen was recovered in El Paso County (Lasley, G., pers. comm.), which may have been a dispersing young individual. Records also indicate Mexican spotted owls inhabited the Davis Mountains at one time (Peterson, J., pers. comm.); whether they persist there is unknown.

REFERENCES:

Oberholser, H.C. 1974. The Bird Life of Texas. University of Texas Press, Austin, Texas.

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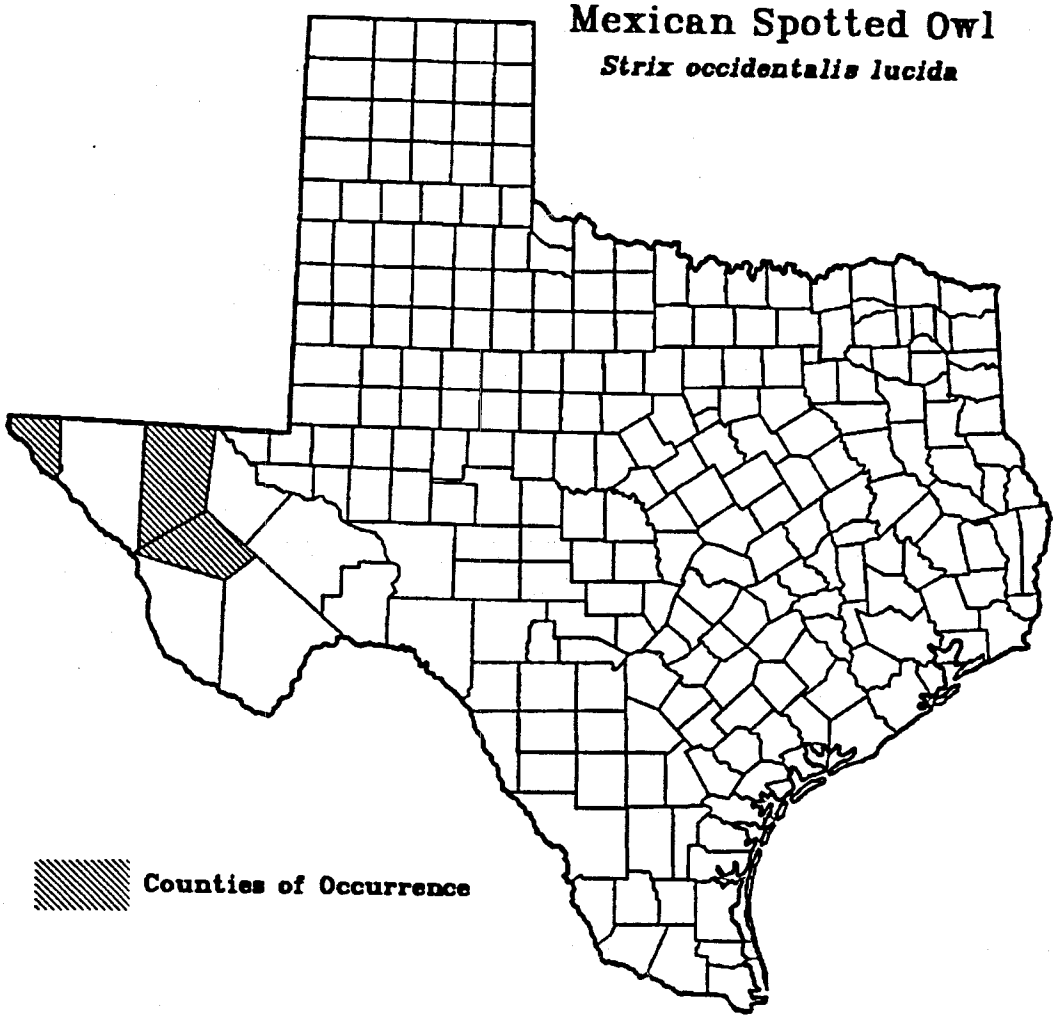
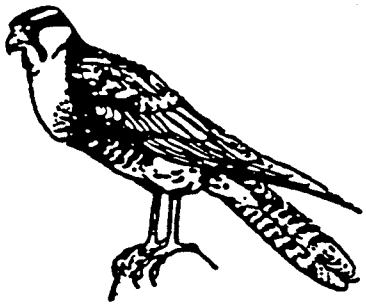

Mexican Spotted Owl
Strix occidentalis lucida
Counties of Occurrence

STATUS: Endangered (51 FR 6690-February 25, 1986) without critical habitat.

DESCRIPTION: Adults characterized by rufous (rust) underparts, a gray back, a long, banded tail, and a distinctive black and white facial pattern. Aplomado falcon body size is smaller than peregrine falcons and larger than kestrels.

HABITAT: Open terrain with scattered trees, relatively low ground cover, abundance of insects and small to medium-sized birds for prey, a supply of previously constructed nests, and above ground nesting substrate such as yucca and mesquite in desert habitat. Suitable habitat consists of inter-tree distances of 30m (avg.), tree densities of 19 trees/40 ha (avg.), tree height of 9m (avg.), and 92% ground cover at 0.7m off the ground and 70% at 0.5m.



DISTRIBUTION:

Present: Prior to 1995, no nests have been verified in the U.S. since 1952, when a nest was reported near Deming, NM. In May 1995, a nesting pair of reintroduced aplomado falcons was discovered in Cameron County, near Brownsville, Texas. The pair produced one chick. Also known to nest in the Mexican states of Veracruz, Chiapas, Campeche, Chihuahua, Tamualipas and Tabasco. Much of the species historic habitat in south Texas has been altered from agriculture and brush encroachment. However, habitat still exists along the lower gulf coast centered around Laguna Atascosa National Wildlife Refuge where reintroductions are currently underway, and also farther inland on the King Ranch. Recent sightings of wild birds have occured in South Texas, desert grasslands of New Mexico and West Texas, and a small nesting population exists in Chihuahua, Mexico.

Historic: In the U.S.: southeastern Arizona, southern New Mexico, and southern and western Texas. In Mexico: the states of Tamaulipas, Chiapas, Campeche, Tabasco, Chihuahua, Coahuila, Sinaloa, Jalisco, Guerrero, Veracruz, Yucatan, and San Luis Potosi. Also, the western coast of Guatemala.

THREATS AND REASONS FOR DECLINE: Habitat degradation due to brush encroachment and grassland degradation from overgrazing near the turn of the century, conversion of habitat to agriculture, urban and suburban sprawl, and organochlorine pesticide contamination.

OTHER INFORMATION: The Aplomado Falcon diet consists primarily of birds, supplemented by insects, small snakes, lizards and rodents. They lay their eggs between the months of March and June. Fifty-eight nestlings were fledged by the Peregrine Fund at Laguna Atascosa National Wildlife Refuge between 1986 and 1994. Aplomados are now seen regularly on the refuge. An additional four nestlings were fledged by the Peregrine Fund on the King Ranch in Kleberg County, Texas in 1985. Surveys are being undertaken in South Texas, Southern New Mexico, Southern Arizona, and Mexico. The Recovery Plan was approved in 1990.

REFERENCES:

Hector, D.P. 1981. The habitat, diet, and foraging behavior of the aplomado falcon (*Falco femoralis*) (Temminck). M.S. Thesis, Oklahoma State Univer., Stillwater, Oklahoma. 198 pp.

----------. 1983. Status Report: *Falco femoralis septentrionalis* (Todd, 1916). Office of Endangered Species, U.S. Fish & Wildlife Service (unpubl. report).

----------. 1985. The diet of the aplomado falcon (*Falco femoralis*) in eastern Mexico. Condor 87: 336-342.

U.S.Fish & Wildlife Service (USFWS). 1990. Northern Aplomado Falcon Recovery Plan. USFWS, Office of Endangered Species, Albuquerque, NM 58pp.

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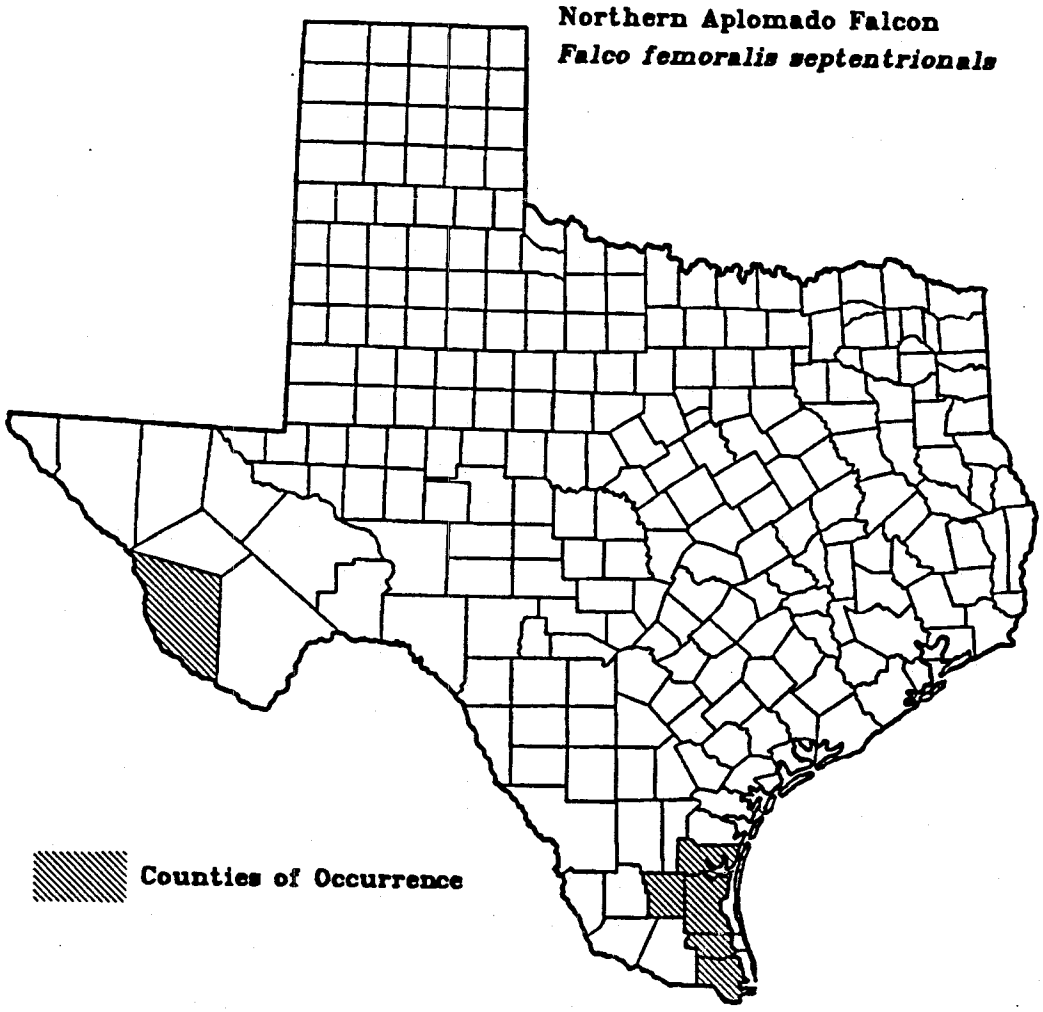

Map only shows Texas range

STATUS: Endangered (60 FR 10694; February 27, 1995) designation of critical habitat is deferred while the Fish and Wildlife Service (Service) gathers further comments and reconsiders the prudence of designation and the appropriate boundaries of any area to be designated, no critical habitat area was proposed for Texas in the proposed rule.

DESCRIPTION: The southwestern willow flycatcher is a small neotropical migratory bird, about 5.75 inches long. It has a grayish-green back and wings, white throat, light gray-olive breast, and pale yellowish belly. Two wingbars are visible; the eye ring is faint or absent.

HABITAT: This species is restricted to dense riparian associations of willow, cottonwood, buttonbush, tamarisk, *Baccharis*, and other deciduous shrubs and trees. This habitat occurs in riparian habitats along rivers, streams, or other wetlands that are often small and/or linear, and widely separated by expanses of arid lands.

DISTRIBUTION:

Present: The breeding range of this species includes southern California, southern Nevada, southern Utah, Arizona, New Mexico, western Texas, southwestern Colorado, and extreme northwestern Mexico. The wintering grounds of the willow flycatcher are not well known; they most likely winter in Mexico, Central America, and perhaps northern South America.

Historic: Same as present, but in smaller, more scattered areas.

THREATS AND REASONS FOR DECLINE: The southwestern willow flycatcher is endangered by extensive loss of habitat, brood parasitism and lack of adequate protective regulations. Large scale losses of southwestern wetlands have occurred, particularly cottonwood-willow riparian habitats. Water development, tamarisk invasion, various livestock impacts, and cowbird brood parasitism are also threats to the flycatcher's survival.

OTHER INFORMATION: Texas is the eastern limit of the southwestern willow flycatcher's breeding range. They have been recorded from the Fort Hancock area, the Guadalupe Mountains, the Davis Mountains, and Brewster County including Big Bend National Park. Data are lacking on the current distribution of southwestern willow flycatchers in Texas. However, habitat may occur particularly in the Rio Grande and Pecos river drainages.

REFERENCES:

Oberholser, H.C. 1974. The Bird Life of Texas. University of Texas Press, Austin, Texas.

Wauer, R.H. 1985. A Field Guide to the Birds of the Big Bend. Texas Monthly Press, Austin, Texas. 283pp.

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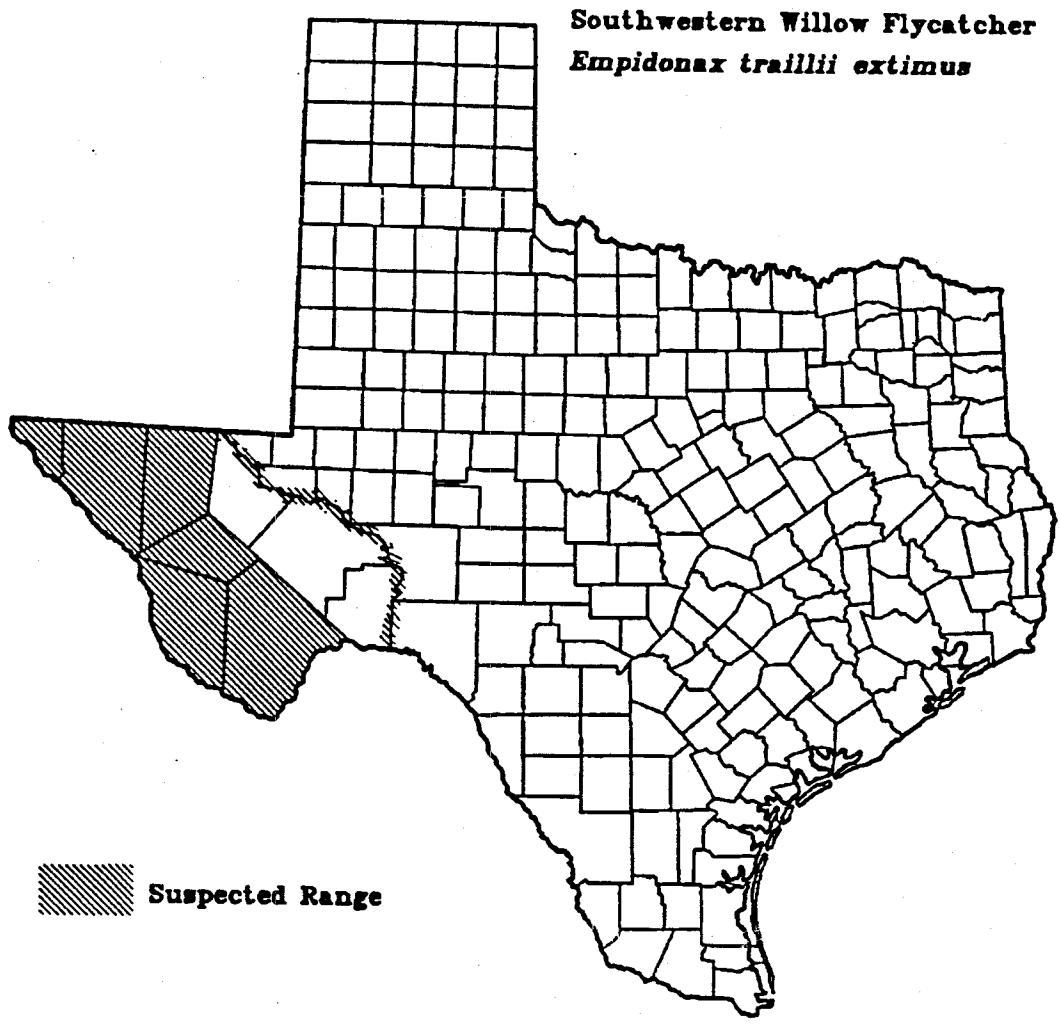

Map only shows Texas range

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SAIC®

Science Applications International Corporation

An Employee-Owned Company

September 9, 1999

Notice of Availability

Science Applications International Corporation (SAIC) has completed a Draft Environmental Assessment (DEA) for the construction of a U.S. Border Patrol Station in Sierra Blanca, Texas for Immigration and Naturalization Service (INS) through the Corps of Engineers, Albuquerque District. The Border Patrol Station is located on a 20-acre parcel of land bordered by Santa Fe Boulevard and Aztec Drive in Sierra Blanca. The DEA is available for review at Ft. Hancock Hudspeth County Library, 100 School Drive, Ft. Hancock, or can be obtained from the U.S. Army Corp of Engineers, Albuquerque District, Environmental Resources Branch, 4104 Jefferson Plaza NE, Albuquerque, NM 87109-3455, Attn: Ms. Julie Hall. Please address all comments on the proposed project to Ms. Michele Fikel at SAIC 405 S. 8th Street Suite 301 Boise, ID 83702. Comments need to be submitted by October 11, 1999.

NO EFFECT FINDING

Based on our review of the project activity as proposed, it is not likely that federally listed species, or other important fish and wildlife resources will be impacted.

Date 10/8/99

Consultation # 2-15-99-I-0582

Approved by [signature]

U.S. FISH and WILDLIFE SERVICE, AUSTIN, TX

405 S. 8th Street, Suite 301, Boise, Idaho 83702 • (208) 344-5001 • FAX: (208) 344-5123

Other SAIC Offices: Albuquerque, Boston, Colorado Springs, Golden, Las Vegas, Los Angeles, McLean, Oak Ridge, Reno, Seattle

SCOPING LETTER DISTRIBUTION LIST

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7500 Viscount Blvd., Suite 147
El Paso, TX 79925-5633

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4200 Smith School Road
Austin, TX 78744

Hudspeth County Clerk
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FM 11 & Milliton Street
Sierra Blanca, TX 79851

Mr. Steve Gibbs
Community Development Corporation
c/o Bank of Sierra Blanca
Highway 80
Sierra Blanca, TX 79851

Mr. Kevin Feeney
Headquarters INS
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State Historic Preservation Officer
Texas Historical Commission
P.O. Box 12276
Austin, TX 78711

Texas Natural Resource Conservation Commission
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Hudspeth County Courthouse
Attn: Mr. Manuel Lujan, Jr.
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Mr. Steve Gibbs
Community Development Corporation
c/o Bank of Sierra Blanca
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