

MAY 2001

FINAL REPORT

**ENVIRONMENTAL ASSESSMENT
FOR THE PROPOSED EXPANSION OF
THE AJO U. S. BORDER PATROL STATION
WHY, ARIZONA**



**IMMIGRATION AND NATURALIZATION SERVICE
WASHINGTON, D.C.**

FINDING OF NO SIGNIFICANT IMPACT

PROPOSED EXPANSION OF THE AJO U.S. BORDER PATROL STATION WHY, ARIZONA

PURPOSE AND OBJECTIVE: The primary purpose of the proposed expansion is to provide the necessary parking, locker rooms, office buildings, and support facilities at the US Border Patrol (USBP) Ajo Station. The USBP Station was designed for 20 agents, but currently supports 54 agents, with an additional 75 to 100 more agents expected in the next two years. The existing locker rooms and office buildings are exceeding their design capacity and cannot effectively service the number of USBP using the facilities. The current parking facilities are not adequate to securely park and store government and privately owned vehicles.

PROPOSED ACTION: The Proposed Action is to expand and pave a parking/office building area at the USBP Ajo Station. Approximately 0.92 acres of previously disturbed land would be developed to support office buildings and a permanent parking area adjacent to the USBP Station. The parking area would be fenced with chain-link fence around the perimeter for security purposes.

ALTERNATIVES: Alternatives carried forward for analysis in the EA include the No Action and the Proposed Action described above. The No Action alternative would not satisfy the need to expand the parking and office facilities required to accommodate the increased number of USBP agents. Of the alternatives considered, the Proposed Action would be the most cost-efficient and strategically effective approach to accommodate the additional, secured parking and office building capacity. Other alternatives considered but eliminated from further evaluation included the construction of a new facility at an alternate location and the construction of facilities utilizing gravel or caliche instead of pavement.

ENVIRONMENTAL CONSEQUENCES: No significant adverse affects to the natural or human environment are expected upon implementation of the Proposed Action. Construction at the Ajo USBP Station would occur on lands that have been previously disturbed and are currently owned by the USBP. Thus, no effects to listed species, cultural resources, wetlands, and/or other sensitive resources would be expected. Short-term, localized impacts to water and air quality, mainly in the form of erosion and dust emissions, would result from project construction activities.

Based upon the results of the EA and the environmental design measures to be incorporated as part of the Proposed Action, it has been concluded that the Proposed Action will not have a significant adverse effect on the environment.


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Director, Office of Administration
Headquarters Facilities and Engineering Division

4-25-01
Date

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WHY, ARIZONA**

May 2001

Lead Agency: U.S. Immigration and Naturalization Service
Facilities and Engineering Division
Washington, D.C.

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EXECUTIVE SUMMARY

Purpose

This Environmental Assessment (EA) evaluates the potential for environmental impacts associated with expanding the U.S. Border Patrol (USBP) Ajo Station in Why, Pima County, Arizona. An expansion would accommodate the increased number of agents that has occurred as well as the increases anticipated over the next two years. The expansion is designed to accommodate the increase from approximately 20 to approximately 100 agents and support staff. This EA was prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, the President's Council on Environmental Quality (CEQ) Regulations for the Implementation of NEPA, as well as, the Immigration and Naturalization Service (INS) Procedures for Implementing NEPA (28 CFR 61).

The EA describes the purpose and need, alternatives considered, existing conditions of the human and natural environment, the anticipated impacts that would result from implementation of the alternative, and any design measures needed to reduce potential impacts within the study area.

Project Description/Alternatives

The existing USBP Ajo Station was designed for 20 agents and cannot effectively service the 54 agents currently utilizing this facility. Also, additional agents are scheduled to report to the Ajo Station. The USBP expects that the number of agents at the Ajo Station will increase to 75 to 100 agents within the next two years.

The site is located within Why, Pima County, Arizona, along Highway 85 approximately 28 miles north of the Mexico border. Approximately 0.92 acres of land currently owned by USBP will be utilized for the station expansion. The proposed action (Alternative 1) expands the existing Ajo Station approximately 200 feet to the east. Existing conditions on the proposed expansion site consist of disturbed land which formerly served as a corral for horses used by the USBP.

NEPA also requires that the "No Action" alternative be analyzed in an EA. The "No Action" alternative (Alternative 2), as presented in this EA, would not allow for any additional facilities or parking to be built.

Two other alternatives were considered but eliminated from detailed discussion. Alternative 3 considered the construction of a new USBP facility to include a station,

parking areas, locker rooms, support facilities, and office buildings at an alternate location. Alternative 4 considered the construction of the proposed USBP station expansion as presented in Alternative 1 utilizing gravel or caliche instead of pavement.

Environmental Consequences

There would be insignificant adverse affects to the natural environment associated with the proposed action outlined in Section 2.0. The majority of direct impacts are associated with vegetation clearing and construction. Two saguaro cacti located within the project area are protected under the Arizona Native Plant Law and would be flagged, fenced, and otherwise protected during construction activities. In addition, a Notice of Intent to Clear Land has been filed with and approved by the Plant Services Division of the Arizona Department of Agriculture for additional vegetative species within the project area. Short-term, localized impacts to water and air quality, mainly in the form of erosion and dust emissions, would result from project construction activities. Short-term adverse impacts to surface water quality are anticipated from the filling and routing of the ephemeral gully located within the boundaries of the project area. Impacts to the gully would qualify for Nationwide Permit (NWP) Number 39 (Residential, Commercial and Institutional Developments). Applicable Section 404 permit (Nationwide Permit 39) procedures, including consultation with the U.S. Army Corps of Engineers and Arizona Department of Environmental Quality, and other applicable permits shall be completed prior to initiation of the construction activities. On a regional scale, these would be minimized with the appropriate construction mitigations (see Section 5.0 for environmental design features). In order to minimize potential impacts of hazardous materials to the project area, a spill prevention and response plan would be developed and implemented as part of the proposed action. Due to the disturbed nature of the project site and its current use, no significant impacts to land use, soils, biological or cultural resources, or socioeconomics (including environmental justice) are anticipated to occur from project implementation.

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SECTION 1.0
INTRODUCTION



1.0 INTRODUCTION

This Environmental Assessment (EA) was prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended. It evaluates the potential for environmental impacts associated with a range of alternatives for construction and operation of an expanded U.S. Border Patrol (USBP) Ajo Station in Why, Pima County, Arizona (Figure 1-1).

The U.S. Immigration and Naturalization Service (INS) has the responsibility to regulate and control immigration. In 1924, the U.S. Congress created the USBP to be the INS enforcement agency. The primary sources of authority granted to officers of the INS are the Immigration and Nationality Act (INA) found in Title 8 of the United States Code (8 U.S.C.), the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 and other statutes relating to the immigration and naturalization of aliens. The IIRIRA mandates the INS to acquire and/or improve equipment and technology along the border, hire and train new agents for the border region, and develop effective border enforcement strategies.

The USBP's primary function is to detect and prevent the unlawful entry of aliens and the transporting of illegal substances across the Nation's borders. The INS and USBP use various facilities and technologies for the deterrence and detection of illegal trafficking, and for processing undocumented aliens (UDAs) and smugglers once an apprehension is made. In addition, space and facilities are needed for intelligence gathering, contraband and weapons storage, and transportation of UDAs and evidence.

1.1 Purpose and Need for the Proposed Action

There is a substantial influx of drugs and illegal immigrants into the U.S. every year. These illegal activities cost American citizens billions of dollars. INS has estimated that in October 1996, there were approximately five million illegal aliens residing in the U.S.; and their numbers have increased at an average rate of about 275,000 per year between October 1992 and October 1996 (INS 2000). The Clinton Administration committed additional resources to the USBP and other agencies to help combat the increased number of illegal immigrants and drugs entering the U.S. Consequently, the



Figure 1-1: Location of Why, Pima County, Arizona.

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DATE: APRIL 2001

number of agents assigned to the Ajo Station increased from 15 agents in 1995 to approximately 54 agents at the present time (December 2000). As the number of USBP agents has increased, the number of apprehensions of UDAs has increased. The number of apprehensions made by USBP agents at the Ajo Station Area of Operations (AO) has steadily increased over the past five years (Table 1-1). In addition, approximately 25,074 pounds of marijuana were apprehended in FY 2000 by agents within the Ajo Station AO, along with smaller quantities of cocaine and other illegal drugs. These increases have necessitated the construction and implementation of various infrastructure systems to enhance the USBP's ability to detect and apprehend UDAs and drug traffickers.

**Table 1-1.
Deportable Alien Apprehensions by USBP Agents
at the Ajo Station Area of Operations between 1996 and 2000.**

FISCAL YEAR	NUMBER OF APPREHENSIONS
1996	9,150
1997	8,794
1998	14,215
1999	21,300
2000	20,340

Source: Lemieux 2001a.

The existing USBP station in Why, Arizona, can no longer effectively accommodate the number of agents operating at the facility, nor service the increasing number of apprehensions made by the USBP agents. The existing facility was designed to accommodate approximately 20 agents; however, there are 54 agents currently operating from the facility. This represents a two-and-a-half fold (260 percent) increase in the number of agents who were operating at the station in 1995. In addition, agents currently at the USBP academy are scheduled to report to the Ajo Station in the near future. The total number of agents within the Ajo Station AO is expected to increase from between 75 and 100 in the next two years, as authorized by the US Department of Justice.

1.2 Proposed Action

The proposed project area is located immediately adjacent to the existing Ajo Station within Why in Pima County, Arizona, and is situated 300 feet east of Highway 85 and

approximately 28 miles north of the U.S/Mexico border (Figure 1-2). The proposed site includes a 0.92-acre area immediately adjacent to the eastern wall of the existing USBP station. This area consists of disturbed land that was previously used as a corral for USBP horses and contains scattered scrub/shrub vegetation and a small ephemeral drainage that transects the property from southeast to northwest (Figure 1-3). The site is relatively flat.

With project implementation, the proposed location would require paving to accommodate parking for government and private vehicles and the addition of several new buildings. The addition of an 8-foot chain link fence around the new facilities would control access to the station. All utility connections would be made to the existing station. Construction would involve the demolition of the eastern wall and expansion of the station approximately 200 feet to the east. The general layout of the proposed complex is illustrated in Figure 1-4.

The proposed station expansion would include the addition of covered and uncovered parking, locker rooms, support facilities, and an office building. Covered parking would be provided for 40 government owned vehicles and uncovered parking would be available for personal vehicles which are currently utilizing an unpaved area north of the station. The addition of two modular or pre-fabricated buildings on-site would provide a male (24 feet X 30 feet) and female locker room (12 feet X 30 feet) for USBP agents at the station. The construction of a new office building (60 feet X 40 feet) would provide between six and nine offices and a squad training room. The new complex would have the capacity to service approximately 100 agents and supervisory and administrative staff. All utilities for the proposed station expansion would connect to the existing station. Water is supplied via the Why Water Company and sewage is handled by an on-site septic system. Existing utilities are adequate to support the proposed station expansion and will not be upgraded as part of the proposed action.

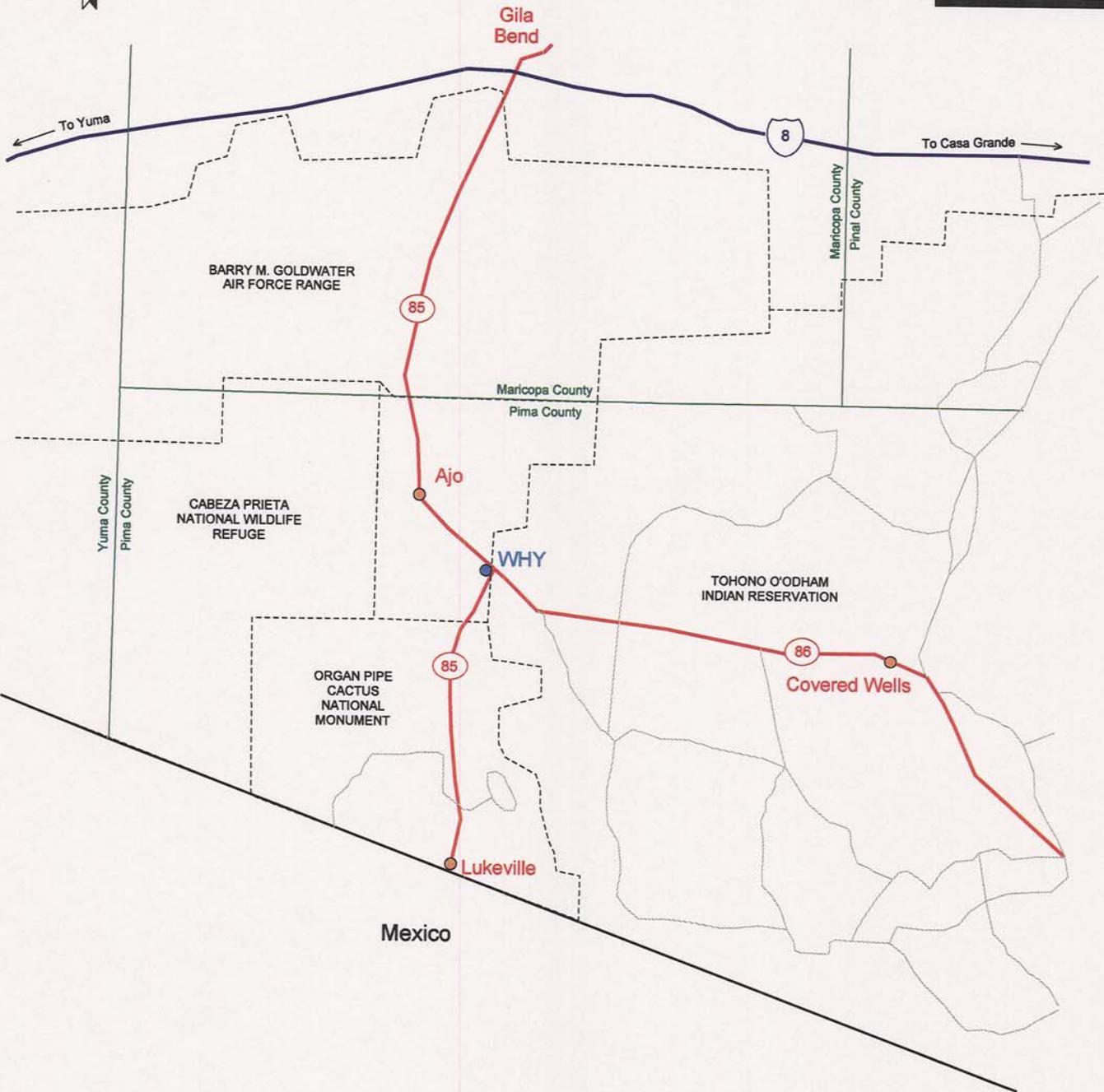


Figure 1-2: Project Vicinity Map.

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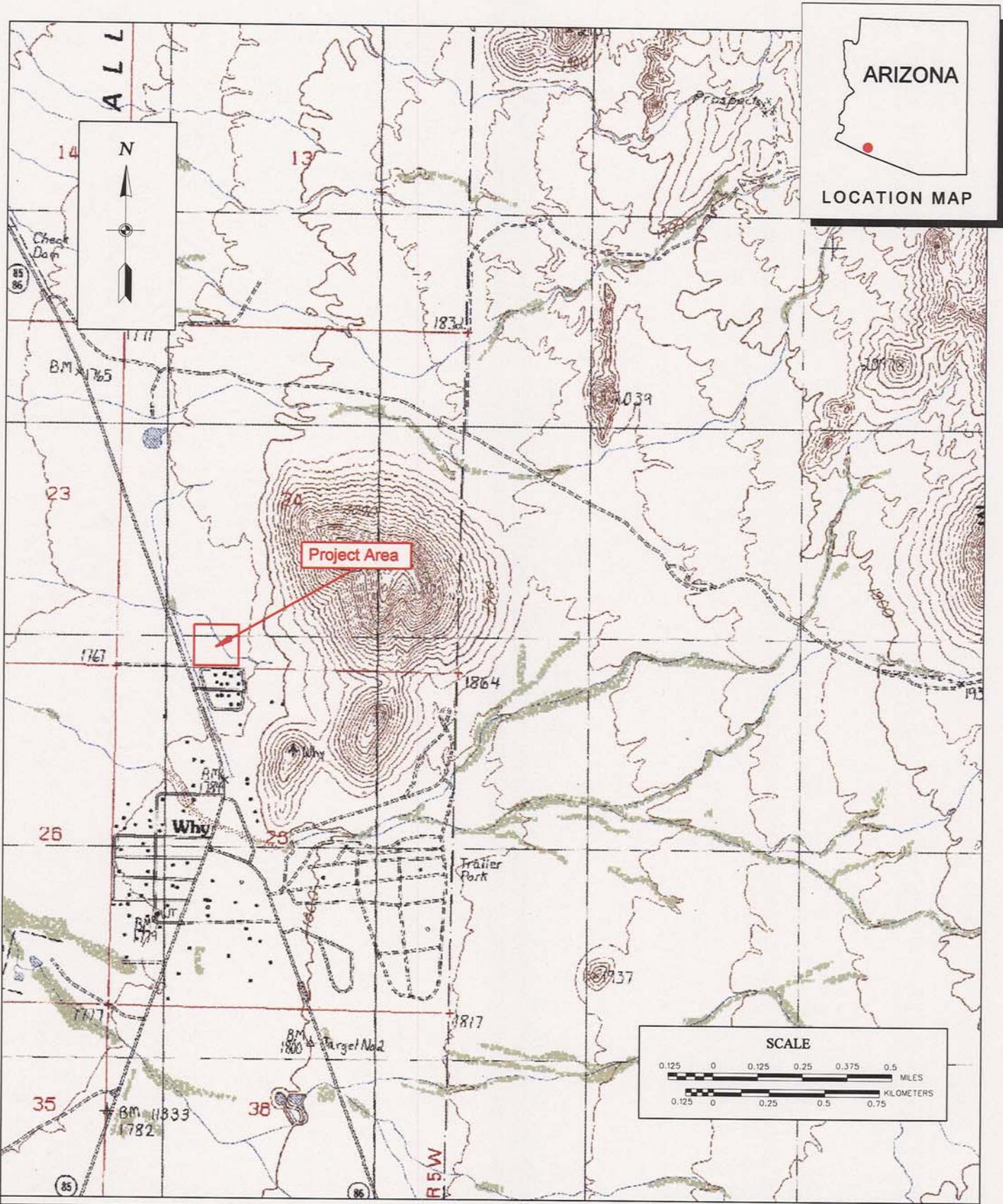


Figure 1-3: Portion of Sikort Chuapo, Arizona USGS (1990) 7.5' quadrangle showing the location of project area.

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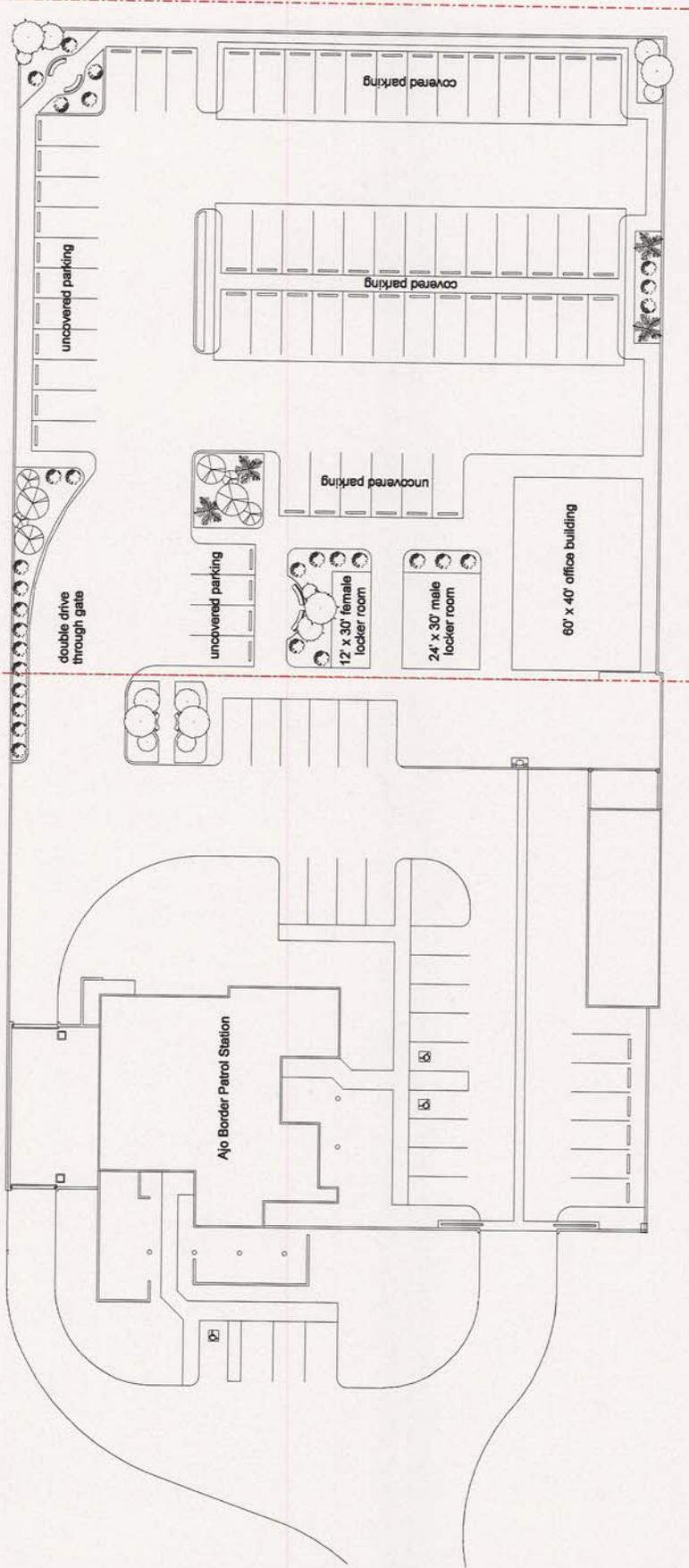
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EXISTING FACILITIES

PROPOSED



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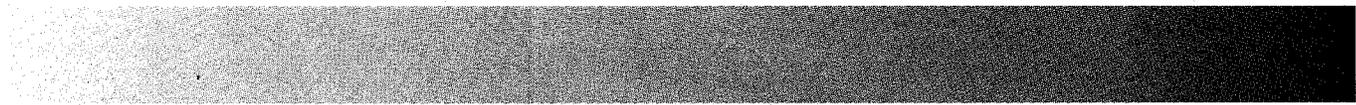
Figure 1-4: Plan view of Ajo Border Patrol Station and proposed station expansion.

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SECTION 2.0
ALTERNATIVES



2.0 ALTERNATIVES

Various alternatives were identified and considered during the planning stages of the proposed project including the Proposed Action and the No Action Alternatives. The other alternatives, however, were considered but eliminated from further evaluation because they did not satisfy the purpose and need of the project, were cost-prohibitive, and/or socially or environmentally sensitive. The following paragraphs describe each of the alternatives considered.

2.1 Alternative 1. Proposed Action (Expand Existing Ajo Station)

In order to accommodate the anticipated increase of up to 46 new agents over the next two years, INS would need to expand the existing USBP station from its current size (20-agent capacity) to a facility that could effectively service at least 100 agents. Under the Proposed Action, an area of approximately 0.92 acres (200 feet X 200 feet) is needed to accomplish the proposed station expansion to include the construction and/or placement of parking areas, locker rooms, support facilities, and office buildings. The proposed action utilizes a portion of the previously disturbed 10 acres currently owned by the USBP for these activities.

2.2 Alternative 2. No Action Alternative

Under the No Action Alternative, no additional facilities or parking would be built. The existing Ajo Station would continue to exceed its design capacity and would be unable to accommodate the projected increases in USBP agents necessary to effectively service the Ajo Station AO of the U.S./Mexico border. Consequently, this alternative would hamper the USBP's ability to perform its mission in an area that is experiencing increased illegal border activity.

2.3 Alternative 3. Other Locations Alternative

Alternative 3 involves the construction of a new USBP facility to include a station, parking areas, locker rooms, support facilities, and office buildings at an alternative location within the Ajo Station AO. Under this alternative, approximately 20 acres, the standard size for a new USBP station, would be required. Acquiring land for a new facility would be costly and could require the clearing of substantial amounts of vegetation if the area is previously undisturbed. The construction of a new facility at

other locations would require water, electrical, gas, and sewer connections and/or a septic system. In addition, communication between the existing Ajo Station and a facility at alternative locations would be hampered and could result in additional response time to illegal traffic. Because of the potential environmental impacts and liabilities associated with acquiring additional property for expanding facilities, alternative locations for the Ajo station expansion have been eliminated from further consideration.

2.4 Alternative 4. Alternative Construction Methods

Alternative 4 involves the construction of the proposed USBP station expansion as presented in Alternative 1 utilizing gravel or caliche instead of pavement. The use of gravel or caliche removes the project area (approximately 0.92 acres) from biological production. The use of caliche or gravel in this alternative would result in increased fugitive dust in the project area as numerous vehicles use the proposed parking facilities. Additionally, the use of gravel or caliche does not provide a stable surface for the placement of buildings. These materials would increase erosion and sediment-laden runoff, which could affect local water quality. Because of the associated environmental impacts and engineering limitations, the use of alternative construction methods have been eliminated from further consideration.

SECTION 3.0
AFFECTED ENVIRONMENT



3.0 AFFECTED ENVIRONMENT

3.1 Land Use

Land use, in general, is indicative of the land ownership. The major land uses in Pima County include agriculture and tourism. Federal and state agencies control a large percentage of land in Pima County. The total area of Pima County is 9,187 square miles. The 1999 census estimated the population to be 803,618 with a population density of 87.5 persons per square mile (U.S. Census Bureau 2000). The largest ownership, 2,419,000 acres, is the Tohono O'odham Native American Nation (42 percent of Pima County). The second largest controller of land is the State of Arizona with 97,000 acres (16 percent). The state land is used for recreation, state parks, historical sites, and rangeland. The Catalina State Park, Sonoita Creek State Natural Area and Picacho Peak State Park are among these. The third largest land use is the "other" category, 903,000 acres, which is approximately 15 percent of the county area. The "other" land ownership category includes land controlled by other Federal agencies, such as, the National Park Service, Department of Defense, and U.S. Fish and Wildlife Service (USFWS), along with county and municipal lands. The major agencies controlling land within this category are the National Park Service, Department of Defense, and the Bureau of Reclamation. The fourth largest controller of land is the Bureau of Land Management (BLM) and U.S. Forest Service (USFS) with approximately 791,000 acres (14 percent). The private and corporate landowners are the smallest group in the county with only 768,000 acres (13 percent).

The property surrounding the existing Ajo USBP Station is largely undeveloped. The land to the north and east is undeveloped and owned by the BLM. The property to the south consists of a small housing development with small houses and mobile homes. State Highway 85 is located to the west of the existing station and undeveloped land lies beyond the highway.

At the proposed project location, the land slopes very gently, a gradient less than 2%, from east to east-northeast. No rocky outcrops of any kind occur on the property. There are no cave or mine openings, no subsidence fissures, or any natural features that indicate underground caverns. No abandoned wells were identified. An aboveground storage tank (AST) is located north of the proposed project site adjacent to the USBP

helipad. The existing station is paved and thus, devoid of vegetation except for small landscaped areas. The remaining property is currently undeveloped with scattered vegetation. Several small concrete slabs exist on the property from previous structures.

3.2 Soils

The Natural Resources Conservation Service (NRCS) Soil Survey for Pima County (NRCS 1997) was reviewed to determine general soil types found within the proposed project area. The soil complex located in the proposed project area is classified as Dateland-Cuerda. This complex is found mainly on fan terraces and flood plains with slopes of zero to three percent. These soils are more than 60 inches deep and are formed in alluvium from mixed rock. Runoff is medium, and the hazard of erosion is very-slight to slight. This complex is mainly used for rangeland. The building limitations on this soil range from slight to severe. Additional geotechnical investigations would be performed prior to construction to definitively determine the project sites particular limitations.

3.2.1 Prime Farmlands

The Farmland Protection Policy Act of 1980 and 1995 was established to preserve farmland. This Act calls for identification of proposed actions that would affect any land considered as unique or prime farmland (U.S. Bureau of Reclamation 2000). Prime farmlands are those farmlands that have the best combinations of physical and chemical properties to be able to produce fiber, feed, food, and is available for these uses. Unique farmland is defined as land other than prime farmland that is used for producing specific high-value food and fiber crops. Prime farmlands in Arizona are classified as Category 1 based on the requirement for irrigation to be arable. The soil found within the study area, Dateland-Cuerda complex, is considered to be prime farmland; however, it is not considered unique because it is a Category 1 soil.

3.3 Air Quality

The State of Arizona has adopted the National Ambient Air Quality Standards (NAAQS) (40 CFR Part 50) as the state's air quality standards (Table 3-1). Primary standards are established to protect public health while secondary standards provide protection for the public's welfare including wildlife, climate, recreation, transportation, and economic values.

**Table 3-1
National Ambient Air Quality Standards**

POLLUTANT	STANDARD VALUE	STANDARD TYPE
Carbon Monoxide (CO)		
8-hour average	9ppm (10mg/m ³)**	Primary
1-hour average	35ppm (40mg/m ³)**	Primary
Nitrogen Dioxide (NO₂)		
Annual arithmetic mean	0.053ppm (100µm ³)**	Primary and Secondary
Ozone (O₃)		
1-hour average*	0.12ppm (235µg/m ³)**	Primary and Secondary
8-hour average*	0.08ppm (157µg/m ³)**	Primary and Secondary
Lead (Pb)		
Quarterly average	1.5µg/m ³	Primary and Secondary
Particulate<10 micrometers (PM-10)		
Annual arithmetic mean	50µg/m ³	Primary and Secondary
24-hour average	150µg/m ³	Primary and Secondary
Particulate<2.5 micrometers (PM-2.5)		
Annual arithmetic mean	15µg/m ³	Primary and Secondary
24-hour Average	65µg/m ³	Primary and Secondary
Sulfur Dioxide (SO₂)		
Annual arithmetic mean	0.03ppm (80µg/m ³)**	Primary
24-hour average	0.14ppm (365µg/m ³)**	Primary
3-hour average	0.50ppm (1300µg/m ³)**	Secondary

Source: U.S. Environmental Protection Agency (USEPA) 1999.

Legend: ppm = parts per million
 mg/m³ = milligrams per cubic meter
 µg/m³ = micrograms per cubic meter

*The ozone 1-hour standard applies only to areas that were designated non-attainment when the ozone 8-hour standard was adopted in July 1997.

**Parenthetical value is an approximate equivalent concentration.

3.3.1 Potential Sources of Air Pollutants

The proposed project area is sparsely settled desert or semi-desert. A number of anthropogenic (man-made) sources of air contaminants affect the air quality of the region. These include industrial emissions, vehicle emissions, area emissions, dust resulting from wind erosion, smoke from burns, and pollutants transported into the area on winds blowing from major urban/industrial areas outside the study area (USEPA 1992a).

Airborne particulates are a special problem in the border area. Construction activity and windblown dust from disturbed desert are significant sources of fugitive dust. In agricultural areas, farming activity is an additional source of fugitive dust. In Ajo, tailings from mining activities, vehicular traffic over paved roads, unpaved roads, and unpaved road shoulders, exhaust emissions, earth moving, construction, and haul roads are major sources of particulate matter (ADEQ 2000). Transport of pollutants from maquiladoras (Mexican manufacturing plants), especially fine particulates, into the study area also contributes periodically to air quality degradation. Additionally, many residences in the Mexican border area burn non-traditional fuels such as wood scraps, cardboard, and tires to provide warmth in the winter. The resulting particulate loading can also adversely affect air quality in the Arizona border counties.

In addition to airborne particulates, high concentrations of sulfur dioxide in the study area are of concern. Sulfur dioxide is the primary contributor to acid deposition, which causes acidification of lakes and streams and can damage trees, crops, historic buildings, and statues. In addition, sulfur dioxide contributes to visibility impairment and may affect breathing and aggravate existing respiratory and cardiovascular disease (USEPA 2001a). Ambient sulfur dioxide in the study area results largely from stationary sources such as coal and oil combustion, steel mills, refineries, pulp and paper mills, and from nonferrous smelters. Pollutant emissions estimates from point sources for Pima County are listed in Table 3-2.

Table 3-2
Pima County Emissions Summary for Selected Air Pollutants
Primary Pollutant Emissions (tons/year)

Sulfur Dioxide	Nitrogen Dioxide	Lead	PM-10	Total Suspended Particulates	Carbon Monoxide	Volatile Organic Compounds*
2,311	6,405	<0.1	1,327	2,492	4,008	81

* VOCs are not criteria pollutants, but they are precursors of criteria pollutant ozone
 Source: USEPA 2001a.

Under Federal NAAQS, the City of Ajo, located less than 10 miles northwest of the project area, is classified as non-attainment for PM₁₀ (particulate matter less than 10 microns in diameter) and sulfur dioxide. The Clean Air Act requires that for areas designated “non-attainment”, State Implementation Plans (SIP) must be prepared and implemented to bring the area into attainment within a specified time period. The Ajo

PM₁₀ SIP was submitted to the EPA in 1991 and no exceedences of the NAAQS for PM₁₀ were noted between 1988 and 1996. In addition, a SIP for sulfur dioxide has been prepared showing reasonable further progress and requesting redesignation to attainment is being prepared by ADEQ (ADEQ 2001).

3.4 Water Resources

Section 404 of the Clean Water Act (CWA) of 1977 (P.L. 95-217) authorizes the Secretary of the Army, acting through the U.S. Army Corps of Engineers (USACE), to issue permits for the discharge of dredged or fill material into waters of the United States, including wetlands. Waters of the United States (Section 328.3[2] of the CWA) are those waters used in interstate or foreign commerce, subject to ebb and flow of tide, and all interstate waters including interstate wetlands. Waters of the United States are further defined as all other waters such as intrastate lakes, rivers, streams, mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, or impoundments of waters, tributaries of waters, and territorial seas. Jurisdictional boundaries for Waters of the U.S. are defined in the field as the ordinary high water marks (OHWM) which is that line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural lines impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas. Wetlands are those areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (USACE 1987).

Activities that result in the dredging and/or filling of jurisdictional wetlands are regulated under Section 404 of the CWA. The USACE has established Nationwide Permits (NWP) to efficiently authorize common activities, which do not significantly impact Waters of the U.S., including wetlands. The NWP were modified and reissued by the USACE in the Federal Register on 9 March 2000, with an effective date of 7 June 2000. The USACE has the responsibility to authorize permitting under a NWP, or to require an Individual Permit.

Only ephemeral surface waters occur on the proposed site, either along the small ephemeral drainage that transects the property or in the form of sheet flows during large storm events. No standing water exists on the property. The small ephemeral drainage enters the project site near the southeastern corner and flows west northwesterly across the project site (Photo 2, 3, and 8, Appendix A). The drainage averages about two feet wide at the ordinary high water mark (OHWM) and is approximately 210 feet long (see Figure 1-3). Several mesquite trees (*Prosopis glandulosa*) and ironwoods (*Olneya tesota*) are scattered along the top of the banks. Herbaceous plants and shrubs that occur near the drainage include dalea (*Dalea* sp.), white bursage (*Ambrosia dumosa*), cryptantha (*Cryptantha* sp.), and globe mallow (*Sphaeralcea* sp.). This ephemeral drainage enters a concrete channel as it flows north of the existing station past the helipad and AST. Although no wetlands are associated with this drainage, it would be considered as a Waters of the United States and, thus, subject to regulations under Section 404 of the CWA.

To ameliorate maintenance actions that would be caused by having the drainage continue to flow across the project site, the USBP proposes to fill the existing channel and re-route the drainage along the northern boundary of the parking facility. A NWP 39 would be used for these fill activities and, due to the minimal disturbance and current conditions of the drainage, notification to the USACE Los Angeles District, Regulatory Branch, of the proposed fill activity would not be required. NWP 39 authorizes residential, commercial, and institutional construction projects in non-tidal waters and wetlands that result in minimal impacts. Projects that are specifically addressed by NWP 39 guidelines include roads, parking lots, and recreational facilities. Consultation between the USBP and the Los Angeles District will verify authorization under NWP 39. This proposed action falls within the other limitations specified by NWP 39 for non-notification (i.e., less than 0.1 acre); however, the permittee must submit a report within 30 days of completion of the work.

3.5 Biological Resources

3.5.1 Vegetation

The rich floral communities (3,666 species of native and naturalized plants) of Arizona can be defined on the basis of the interaction of geology, soils, climate, animals, and

man. These vegetation areas set the stage for a wide array of land uses that varies from intensive cropland agriculture to extensive ranching and urban development.

The project area lies within the Lower Colorado River Valley Subdivision of the Sonoran Desert. This subdivision is the largest and most arid of the Sonoran Desert subdivisions. The dryness is due to the combination of extreme high temperatures and low precipitation. Average annual precipitation for the Gila Bend area is 5.5 inches. Due to the scarcity of water, plant density is generally more open and not as diverse as other subdivisions (Brown 1982). Vegetation is often arranged along drainage patterns. Common tree and shrub species of the Lower Colorado River Subdivision include western honey mesquite (*Prosopis glandulosa* var. *torreyana*), blue paloverde (*Cercidium floridum*), ironwood, desert-willow (*Chilopsis linearis*), catclaw acacia (*Acacia greggii*), creosotebush (*Larrea tridentata*), white bursage, brittle bush (*Encelia farinosa*), and ocotillo (*Fouquieria splendens*). Cacti and herbaceous species that are common for the region include barrel cactus (*Ferocactus* spp.), cholla and prickly-pear cacti (*Opuntia* spp.), white ratany (*Krameria grayi*), three-awn grass (*Aristida* spp.), plantain (*Plantago elongata*), rigid spiny herb (*Chorizanthe rigida*), big galleta (*Hilaria rigida*), and buckwheats (*Eriogonum* spp.).

A team of biologists surveyed the project location on 02 January 2001 to ascertain the existing conditions of the site. Site vegetation is characterized by Sonoran desert scrub consisting of creosotebush and mesquite. Dominant species include mesquite, creosotebush, and white bursage. Canopy cover of the site is approximately 25 percent, dominated almost exclusively by mesquite. Other vegetative species found on the site include paloverde, dalea, white bursage, cryptantha, wolfberry (*Lycium macrodon*), paloverde, and globe mallow. The site has approximately 15 percent ground cover dominated by creosotebush and white bursage. Two saguaro cacti (*Cereus giganteus*) were noted near the southeast corner of the project area. These cacti are protected under the Arizona Native Plant Law, as further discussed in Section 3.5.3.

3.5.2 Wildlife

Arizona contains an enormous diversity of environments for wildlife (751 vertebrate species) ranging from hot, dry deserts at low elevations through rich upland deserts, grasslands, and woodlands at mid-elevations to cold, moist montane/alpine habitats.

The distribution of these environments is controlled generally by climatic conditions as well as by topographic features. Physiographic features such as scarps, plateaus, plains, mountains, and drainage systems along with soil types and biotic elements influence wildlife distribution (Hendrickson and McKinley 1984).

The native faunal components of southwestern Arizona support 230 species of birds. Common species include sparrows and towhees (30 species); swans, geese, and ducks (22 species); sandpipers and phalaropes (22 species); wood warblers (21 species); tyrant flycatchers (18 species); and kites, eagles, and hawks (15 species). The majority of these bird species occur in spring and fall when neotropical migrants (e.g., flycatchers and warblers) pass through on their way to summer breeding or wintering grounds and in the winter when summer resident birds (i.e., robins, kinglets, and sparrows) from the north arrive to spend the winter. The majority of the 62 mammalian species are rodents (e.g., pocket mice, kangaroo rats, squirrels, and mice and rats) and bats (e.g., plainnose) with rodents being the most common. Of the eight species of amphibians in southwestern Arizona, only two, the Sonoran desert toad (*Bufo alvarius*) and the red-spotted toad (*Bufo punctatus*), are common. Forty-seven species of reptiles inhabit the area with iguanid lizards, colubrid snakes, and rattlesnakes being the most dominant and common. (Fowlie 1965; Bernard and Brown 1978; Hoffmeister 1986; Natural Resources Planning Team 1986; Groschupf et al. 1987; Rosenberg et al. 1991).

No wildlife or signs of wildlife were observed in the proposed project area during the field survey conducted on 2 January 2001. No water bodies that could support aquatic life are present in the project site.

3.5.3 Protected Species

The Endangered Species Act (ESA) [16 U.S.C. 1532 et. seq.] of 1973, as amended, was enacted to provide a program for the preservation of endangered and threatened species and to provide protection for the ecosystems upon which these species depend for their survival. All Federal agencies are required to implement protection programs for designated species and to use their authorities to further the purposes of the act. Responsibility for the identification of a threatened or endangered species and development of any potential recovery plans lies with the Secretary of the Interior and the Secretary of Commerce.

The USFWS and the National Marine Fisheries Service (NMFS) are the primary agencies responsible for implementing the ESA. The USFWS is responsible for birds, terrestrial, and freshwater species, while the NMFS is responsible for non-bird marine species. The USFWS's responsibilities under the ESA include: (1) the identification of threatened and endangered species; (2) the identification of critical habitats for listed species; (3) implementation of research on, and recovery efforts for, these species; and (4) consultation with other Federal agencies concerning measures to avoid harm to listed species.

An endangered species is a species in danger of extinction throughout all or a significant portion of its range. A threatened species is a species likely to become endangered within the foreseeable future throughout all or a significant portion of its range. Proposed species are those which have been formally submitted to Congress for official listing as threatened or endangered. Species may be considered endangered or threatened when any of the five following criteria occurs: (1) the current/imminent destruction, modification, or curtailment of their habitat or range; (2) overuse of the species for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) the inadequacy of existing regulatory mechanisms; and (5) other natural or human-induced factors affect continued existence.

In addition, the USFWS has identified species that are candidates for listing as a result of identified threats to their continued existence. The candidate (C) designation includes those species for which the USFWS has sufficient information on hand to support proposals to list as endangered or threatened under the ESA. However, proposed rules have not yet been issued because such actions are precluded at present by other listing activity.

The ESA also calls for the conservation of what is termed Critical Habitat - the areas of land, water, and air space that an endangered species needs for survival. Critical habitat also includes such things as food and water, breeding sites, cover or shelter, and sufficient habitat area to provide for normal population growth and behavior. One of the primary threats to many species is the destruction or modification of essential habitat by uncontrolled land and water development.

Federal

A total of 22 Federally endangered, threatened, proposed threatened, and candidate species occur within Pima County, Arizona. This list includes six birds, four mammals, one reptile, one amphibian, five fishes, and five vascular plants. A total of 13 species are listed as endangered, four as threatened, two as proposed threatened, and three as candidate. Information pertaining to these Federal protected species is included in Table 3-3. No Federal species were found within the boundaries of the project area during recent field surveys conducted on 2 January 2001. At this time, there are no Federal designated critical habitats within the project area.

State

The Arizona Game and Fish Department (AGFD) maintains lists of Wildlife of Special Concern (WC). This list includes species whose occurrence in Arizona is or may be in jeopardy, or with known or perceived threats or population declines (AGFD 2000a). These species are not necessarily the same as those protected by the Federal Government under the ESA. This list includes six mammals, 17 birds, three reptiles, four amphibians, and four fish (AGFD 2000b). Information pertaining to WC potentially occurring in Pima County, Arizona is presented in Appendix B.

The Arizona Department of Agriculture maintains a list of protected plant species within Arizona. The Arizona Native Plant Law (1993) defines five categories of protection within the state. These include: Highly Safeguarded (HS), no collection allowed; Salvage Restricted (SR), collection only with permit; Export Restricted (ER), transport out of state prohibited; Salvage Assessed (SA), permit required to remove live trees; and Harvest Restricted (HR), permits required to remove plant by products (AGFD 2000a). Information pertaining to the 34 state protected plant species potentially occurring in Pima County, Arizona is presented in Appendix B.

Field surveys for all currently listed state-protected species were conducted on 2 January 2001. No AGFD WC were found within the boundaries of the project area. In addition, surveys were performed for all plants protected under the Arizona Native Plant Law. Surveys resulted in locating two saguaro cacti, listed as SR, near the southeast corner of the project area and one paloverde, listed as SA. In addition, honey mesquite

Table 3-3
 Federally Listed, Proposed, and Candidate Species Potentially Occurring in Pima County, Arizona

Common/Scientific Name	Status	Date Listed	Habitat
PLANTS			
<i>Acuna cactus</i>	C	7/1/75	Well drained knolls and gravel ridges in Sonoran desertscrub
<i>Echinomastus erectocentrus acunensis</i>			
Huachuca water umbel	E	1/6/97	Cienegas, perennial low gradient streams, wetlands
<i>Lilaeopsis schaffneriana ssp. recurva</i>			
Kearney's blue star	E	1/19/89	West-facing drainages in the Baboquivari Mountains
<i>Amsonia kearneyana</i>			
Nichol's turk's head cactus	E	10/26/79	Sonoran desertscrub on limestone slopes in desert hills
<i>Echinocactus horizonthalonius var. nicholii</i>			
Pima pineapple cactus	E	4/20/92	Sonoran desertscrub or semi-desert grassland communities
<i>Coryphantha scheeri robustispina</i>			
BIRDS			
Bald Eagle	T	1/12/95	Large trees or cliffs near water with abundant prey
<i>Haliaeetus leucocephalus</i>			
Cactus ferruginous pygmy-owl	E	3/10/97	Mature cottonwood/willow, mesquite bosques, and Sonoran Desertscrub
<i>Glaucidium brasilianum cactorum</i>			
Masked bobwhite	E	3/11/67	Desert grasslands with diversity of dense native grasses, forbs and brush
<i>Colinus virginianus ridgewayi</i>			
Mexican spotted owl	T	3/15/93	Nests in canyons and dense forests with multi-layered foliage structure
<i>Strix occidentalis lucida</i>			
Mountain plover	PT	2/16/99	Open arid plains, short-grass prairies, and scattered cactus
<i>Charadrius montanus</i>			
Southwestern willow flycatcher	E	2/27/95	Cottonwood/willow and tamarisk vegetation communities along rivers and streams
<i>Empidonax traillii eximius</i>			
AMPHIBIANS			
Chiricahua leopard frog	PT	6/14/00	Streams, rivers, backwaters, ponds, and stock tanks
<i>Rana chiricahuensis</i>			

Table 3-3. Continued.

MAMMALS				
Lesser long-nosed bat <i>Leptonycteris curasoae yerbabuena</i>	E	9/30/88	Desert scrub habitat with agave and columnar cacti present as food plants	
Mexican gray wolf <i>Canis lupus baileyi</i>	E	3/11/67	Chaparral, woodland, and forested areas; may cross desert areas	
Ocelot <i>Felis pardalis</i>	E	7/21/82	Humid tropical and sub-tropical forests, savannahs, and semi-arid thornscrub	
Sonoran pronghorn <i>Antilocapra americana sonoriensis</i>	E	3/11/67	Broad, intermountain alluvial valleys with creosote-bursage/palo verde-mixed cacti	
REPTILES				
Sonoyta mud turtle <i>Kinosternon sonoriense longifemorale</i>	C	9/19/97	Ponds and streams	
FISHES				
Desert pupfish <i>Cyprinodon macularius</i>	E	3/31/86	Shallow springs, small streams, and marshes; tolerates saline and warm water	
Gila chub <i>Gila intermedia</i>	C	9/18/85	Pools, springs, cienegas, and streams	
Gila topminnow <i>Poeciliopsis occidentalis occidentalis</i>	E	3/11/67	Small streams, springs, and cienegas vegetated shallows	
Loach minnow <i>Tiaroga cobitis</i>	T	10/28/86	Cool to warmwater, low gradient streams and rivers in the Gila River basin	
Spikedace <i>Meda fulgida</i>	T	7/1/86	Cool to warmwater streams and rivers of moderate gradient in the Gila River basin	

Source: USFWS 2000. Last Updated November 14, 2000.

Legend:

- E – Endangered
- T – Threatened
- C – Candidate
- PT – Proposed Threatened

trees and desert ironwood, listed as HR, were also noted within the boundaries of the project area. No other state-protected species were identified.

3.5.4 Unique and Sensitive Areas

Southeastern Arizona is an ecological crossroads, where habitats and species from the Sierra Madre of Mexico, the Rocky Mountains, and the Sonoran and Chihuahuan deserts converge. Ongoing efforts by many government agencies, as well as private entities, have set aside these areas for preservation. These areas are intended for use by the public in hopes of better understanding of the myriad of natural systems exhibited in their natural state.

Two unique or environmentally sensitive areas can be found within the Ajo Station AO. Cabeza Prieta National Wildlife Refuge (NWR) is located between Yuma and Ajo, approximately 12 miles west of the project area. It encompasses 860,000 acres of Sonoran Desert habitat within western Pima and Yuma counties. Organ Pipe Cactus National Monument is an almost pristine example of the Sonoran Desert. It encompasses 330,689 acres of southwestern Pima County and can be found approximately five miles south of the project area. The Monument was established to protect the rare organ pipe cactus (*Stenocereus thurberi*) and 26 other cacti species.

3.6 Cultural Resources

3.6.1 Cultural History

The archaeology of the study area is quite detailed, and relatively complex considering the various geographic and related cultural features. For purposes of clarity, the following text will present the broad overview of southern Arizona prehistory. The predominance of the cultural history of this section comes directly from a baseline document developed for Joint Task Force Six (JTF-6) for Arizona (USACE 1999).

The cultural chronology of the study area is shown below:

Paleo-Indian	10,000—7,500 B.C.
Archaic	7,500—400 B.C.
Formative	A.D. 100—1450
Protohistoric	A.D. 1450—1539
Historic	A.D. 1539—Present

These periods are commonly subdivided into smaller temporal phases based on particular characteristics of the artifact assemblages. The prehistoric periods and corresponding phases are defined by the presence of particular diagnostic artifacts such as projectile points, certain types of pottery, and occasionally, particular site locations. For the Historic period, documentary information more often is used to distinguish certain phases; nevertheless, particular artifacts also can be used to recognize certain historic affiliations.

The nature and temporal position of the first people in southern Arizona is a subject of debate. Most researchers contend that successive migrations occurred throughout the later part of the Pleistocene, coinciding with global temperature drops that resulted in massive quantities of water being frozen. As the ice caps increased in size, sea levels dropped, exposing land bridges in the areas where the sea was the shallowest. One of these land bridges connected Alaska with Siberia across the Bering Strait. This land bridge has successively appeared and disappeared over the last 100,000 years as temperatures fluctuated.

A majority of the best-known Paleo-Indian sites in the southwest are in southern Arizona. The earliest occupations at these sites are named after a site near Clovis, New Mexico and are recognized by a particular fluted projectile point type that is thought to have been used for hunting big game such as mammoth, mastodon, and camel. For the Papageria, or south-central Arizona, the earliest dated site is Ventana Cave. Among the bones of extinct dire wolf, jaguar, shasta ground sloth, and horse, an assemblage of almost 100 tools was recovered.

The cultural remains of Archaic people, post-Pleistocene foragers, are more common manifestations than those of Paleo-Indian populations. The cultural affiliation and age of Archaic materials in southern Arizona are not well understood. Two Archaic traditions have been proposed for southern Arizona: the Desert culture (also called San Dieguito II and III) and the Cochise culture. Haury (1950) and Ezell (1954) have argued that the Papageria was the zone of contact between the Cochise culture, located primarily within southeastern and south-central Arizona and New Mexico, and the Desert culture, recorded in southern California (Rogers 1939; Hester 1973; King 1976) and southwestern Arizona (Rogers 1941; Haury 1950; Hayden 1970; Rosenthal et al. 1978). Other researchers

disagree with Haury and Ezell, arguing instead that the Desert culture is a pan-southwestern occurrence extending from California to the Trans-Pecos Region of Texas.

People associated with another complex called the Amargosan are believed to have migrated into east-central Arizona, displacing cultures affiliated with the San Dieguito complex at about 3000 B.C. (Rogers 1958). The eastern aspect of the Amargosan complex produced two phase patterns, Amargosa I and II, both of which were found at Ventana Cave (Haury 1950). At either the beginning of or during Amargosa II times, trough and basin metates and mortars appeared in southern Arizona for the first time (Rogers 1958).

Following the Archaic, the Formative period refers to the prehistoric ceramic-making agriculturalists. In southern Arizona, some researchers date the beginning of the Formative as early as 300 B.C. (Haury 1976), and others as late as A.D. 500 (Schiffer 1982). In south-central Arizona, the principal inhabitants are called Hohokam, a Piman word meaning "all used up" (Haury 1976). Peripheral cultures are the Trincheras in northern Sonora (Bowen n.d.; Sauer and Brand 1931; Hinton 1955; Johnson 1960, 1963; McGuire and Villalpando 1991), the Mogollon in eastern Arizona (Douglas and Brown 1984, 1985), and the Patayan in western Arizona (Rogers 1945a; Waters 1982).

When and where the Hohokam arose is still unresolved. Di Peso (1956) and Hayden (1970) believed that the prehistoric people antecedent to the Hohokam in southern Arizona followed the Ootam tradition. Di Peso contended that the Ootam were an indigenous group who came under the rule of Mexican intruders, the Hohokam, from roughly A.D. 900 to 1200. Other researchers have viewed the Hohokam culture as an evolution of indigenous Archaic populations who were influenced by ideas coming from Mexico (Wasley and Johnson 1965; Wilcox 1979). Hohokam culture history is generally divided into four temporal periods: the Pioneer Period (A.D. 425-750), Colonial Period (A.D. 750-950), Sedentary Period (A.D. 950-1150) and the Classic Period (A.D. 1150-1450).

The region occupied by the Trincheras culture has been demarcated by Bowen (n.d.) as extending from Puerto Libertad on the south to the International Border on the north, and from the Gulf of California on the west to the Rio San Miguel on the east. The pottery

series within this area is fairly well documented. Sauer and Brand (1931) have described Trincheras Purple-on-red and Nogales Polychrome. Bowen (n.d.) refined the painted pottery types to include Purple-on-brown and Purple-on-red. Trincheras Polychrome was defined by Di Peso (1956). Even though the types within the Trincheras series have not been securely dated, it is believed that they were produced over a considerable period of time. Cross-dating indicates that most of the Trincheras types were in use at least as early as the Hohokam Colonial period (A.D. 800) and may have extended till Spanish Contact though terminal dates are problematic (McGuire and Villapado 1991, Bowen n.d., Braniff 1978). The most distinctive aspect of the Trincheras Culture are the "cerros de trincheras" which are features consisting of dry-laid rock walls, terraces, structures, enclosures, and trails on hill slopes and hill tops (Lascaux 1998). Several Trincheras sites display evidence of shell jewelry production and the preparation of shell bracelet "blanks."

The Patayan Culture occupied an area to the west of the project area. Much of the confusion regarding the ceramic period has been resolved by Waters (1982) who basically adopted Rogers' (1940, 1945a, 1945b) diagnostic ceramic traits to provide chronological and typological distinctions for Lowland Patayan pottery types. Three ceramic periods have been defined: Patayan I (A.D. 700-1000), Patayan II (A.D. 1000-1500), Patayan III (A.D. 1500-Present). The frontier between Hohokam and Patayan ceramic types is a short distance west of a line between Gila Bend, Arizona, and Organ Pipe Cactus National Monument (Ezell 1954).

The abandonment of the large, aggregated pueblos in the Southwest around A.D. 1450 marks the beginning of the Protohistoric period in Arizona, which is another time period that is poorly understood. Based on cross-dating with Hohokam and Salado ceramics, Di Peso (1951) concluded that the inhabitants of Babocomari Village in the San Pedro Valley moved into that vicinity at a time roughly contemporaneous with the Tucson phase, ca. A.D. 1200-1450. It is possible that abandonment occurred quite late, perhaps during Apache times (Di Peso 1951). If this is the case, then Babocomari Village represents the only large Protohistoric site excavated to date.

The historic period can be broken up into a Spanish/Mexican Period (A.D. 1699-1856) and an American Period (A.D. 1856-1945). Spanish exploration of the area began in 1539 with the explorations of Francisco Vasquez de Coronado, Melachor Diaz, and Alarcon in

1540. In 1687 the Jesuit missionary Eusebio Francisco Kino traveled through the Santa Cruz Valley and the adjacent Papagueria. During his travels, he established a chain of missions which allowed for an influx of Spanish missionaries, explorers, miners, ranchers, and settlers. Silver strikes in 1736 to 1741, and the discovery of gold in Arizona and California during the mid to late 1800's, caused a great influx of settlers and prospectors into the area. Tensions increased between the Native American populations and the European settlers and resulted in revolts by the Pima and Papago, and raids by the Apache. By the mid 1800's the El Camino del Diablo became a popular route connecting Sonoita, Mexico to Yuma, Arizona, for people traveling to California. The loss of life from unprepared parties and the Pinacatenos attacks along the route were high (Sykes 1937).

The Gadsen Purchase occurred in 1854 but it was not until 1856 that the land left Mexican domain and came under the control of the United States. This ushered in the American Period (1856-1945). Travelers were still coming into the area lured by gold and silver found in Arizona and California. Apache attacks on travelers and settlers of the area prompted the establishment of several forts in southern Arizona and the stationing of troops in the San Bernardino Valley at Silver Creek, Guadalupe Canyon, and, briefly in 1878, at Camp Supply (Wells 1927).

The Apaches continued to raid the San Pedro Valley until 1884 when Colonel George Crook forced them onto the San Carlos Reservation. In 1885, a large number of Apaches led by Geronimo fled the reservation, crisscrossing southeastern Arizona and southwestern New Mexico. However, in 1886 they surrendered to General Crook at Cañon de los Embudos, 30 miles south of the San Bernardino Ranch Headquarters.

At the turn of the century the area became a profitable cattle ranching area. The Anglo-American ranchers in the area employed the local Papago population enabling the Papago to learn a considerable amount about the cattle ranching industry and allowing them to make a shift from subsistence pastoralism to cash ranching. Tensions developed between Papago ranchers and Anglo-American ranchers over grazing land and waterholes but never resulted in violent conflicts due to the collapse of the cattle market and the establishment of the Papago Reservation (Spicer 1962). The Papago were the last Native American tribe to acquire a reservation. Also during this time, ore smelting

became a profitable industry and smelters were built in both Douglas and Bisbee. This prompted the development of railroads in the area to transport the ore (Hadley 1987).

3.6.2 Previous Investigations

Prior to conducting fieldwork, survey and site records at the Arizona State Museum (ASM) and State Historic Preservation Office (SHPO) were reviewed for pertinent information and the National Register of Historic Places was consulted on-line. Three surveys (ASM Surveys No. 1983-140, 1996-329, and 1997-493) were conducted within a mile of the project area (Dart 1983; Hathaway 1997; Stone 1996). All three surveys were completed for the Arizona Department of Transportation. Only one historic site (AZ Z:9:27 (ASM)) was previously recorded within a mile of the project area. This historic site is State Route 85. No properties within one mile of the project area are listed on either the State or National Registers of Historic Places.

3.6.3 Current Investigations

Both a Class I overview and a Class III survey was completed for the project area. The Class I overview showed no previously recorded archaeological sites with the boundaries of the project area. The Class III pedestrian survey was conducted on 8 January 2001. The lack of ground cover made it possible to thoroughly observe the present ground surface and no problems occurred during the survey. No archaeological sites or isolated occurrences were identified during the field survey of the project area.

3.6.4 Tribal Concerns

Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties and defines procedures governing how Federal agencies should meet these statutory responsibilities. The Advisory Council on Historic Preservation (ACHP) codified these compliance procedures as 36 CFR Part 800. Revisions to these procedures emphasized consultation with Native American tribes as part of the section 106 process. In particular, Sec. 800.2(c)(3) of the revised regulations states that Federal agencies are required to consult not only with the State Historic Preservation Officer and/or the Tribal Historic Preservation Officer, but also with relevant Federally recognized tribes that might claim cultural affinity in the area of the undertaking. Such consultations should occur on all Federal undertakings subject to Section 106 review, regardless of whether

or not the undertaking is on tribal land. As a result, the tribes must be given a reasonable opportunity to identify their concerns, advise on potential resources within the study area, including eligibility, and provide input on project effects. The following tribes claim cultural affinity to the current study area: the Ak-Chin Indian Community, the Gila River Indian Community (GRIC), the Tohono O'odham Nation, the Hopi, and the Zuni Pueblo (Arizona State Parks 1999).

3.7 Socioeconomics

3.7.1 Population

The Region of Influence (ROI) for the proposed action is defined as Pima County, Arizona. The 1999 population of Pima County was estimated to be 803,618, which ranked second in the state of Arizona (U.S. Bureau of the Census 2000). This is an increase of 20.5 percent over the revised 1990 census population of 666,880. The racial mix of Pima County is mainly comprised of Caucasians (90 percent), followed by African American (four percent), and Native American (three percent). The remaining three percent is split between Asian and Pacific Islanders and other races. Only 30 percent of the total 1999 population claim to be of Hispanic origin (U.S. Bureau of the Census 1999).

3.7.2 Employment, Poverty Levels, and Income

The total number of jobs in Pima County in 1997 was 401,611, an increase of 29 percent over the 1987 number of jobs of 310,750 (Regional Economic Information System 2000). The services industry provided the most jobs, followed by the government sector and the retail trade industry. The January 1997 seasonally adjusted unemployment rate for Pima County was 3.7 percent. This is significantly smaller than the January unemployment rate for the state of Arizona of 5.4 percent (Arizona Department of Economic Security 2000).

The 1997 annual total personal income (TPI) for the ROI was \$16,409,122. The TPI in Pima County ranked second in the state of Arizona and accounted for 16.4 percent of the state total (Regional Economic Information System 2000). This represented an 86 percent increase over the 1987 TPI of \$8,841,704 for Pima County. Over the past 10 years, the average annual growth rate of TPI was 6.4 percent. This is lower than the annual growth rate for the state of 7.1 percent and higher than that for the nation of 5.8

percent. Per capita personal income (PCPI) was \$21,068 in 1997. This PCPI ranked second in the state and accounted for 96 percent of the state average and 83 percent of the national average. This represents a 53 percent increase over the 1987 PCPI of \$13,806. The average annual growth rate of PCPI over the past 10 years was 4.3 percent, as compared to the state's growth rate of 4.2 percent and the national growth rate of 4.7 percent. The estimated number of people of all ages in poverty was 129,300. This represented 16.9 percent of the county, which is higher than the estimated 16.3 percent of the state population that lives in poverty.

3.7.3 Environmental Justice

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority and Low-Income Populations) was signed in February 1994. This order was intended to direct Federal agencies "...to make achieving environmental justice part of its mission by identifying and addressing... disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the [U.S.]..." To comply with the Executive Order, minority and poverty status in the vicinity of the project was examined to determine if any minority and/or low-income communities would potentially be disproportionately affected by implementation of the proposed action. As a result, there is a probability that the activities proposed would be conducted in proximity to low-income populations and neighborhoods in the area.

3.8 Hazardous Materials

The USEPA in 1996 listed approximately 15,000 uncontrolled hazardous waste sites in the United States. The majority of the uncontrolled hazardous waste sites are waste storage/treatment facilities or former industrial manufacturing sites. The chemical contaminants released into the environment (air, soil or groundwater) from uncontrolled waste sites may include heavy metals, organics, solvents and other chemicals. The potential adverse human health impact of hazardous waste sites is a considerable source of concern to the general public as well as government agencies and health professionals.

There are a total of 38 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Superfund sites identified within Pima County; however, none are

located within the project area (USEPA 2000). In addition, no Resource Conservation and Recovery Act (RCRA) violation and corrective action sites, Leaking Underground Storage Tanks (LUST) sites, National Priorities List sites, or No Further Remedial Action Planned (NFRAP) sites are known within the study area (USEPA 2000; USEPA 2001b).

During field visits to the project area, a 4,000-gallon AST containing helicopter fuel was noted north of the existing border patrol station. This AST appears to be in good condition and according to Mr. M.N. Lemieux (Lemieux 2001b), the AST is a double-walled tank in order to prevent spills on site. In addition, a portable aircraft refueling container used by the U.S. Army to refuel helicopters was also located near the helipad. No evidence of hazardous materials or environmental liabilities were observed during the site visit. According to Ajo Station USBP representatives, there is no known or suspected toxic and/or hazardous material contamination in the project area. Additionally, there are no known historic land uses at the proposed site that might have resulted in toxic or hazardous material contamination of the underlying soil and/or groundwater resources.

3.9 Noise

Noise is generally described as unwanted sound, which can be based either on objective effects (hearing loss, damage to structures, etc.) or subjective judgments (community annoyance). Sound is usually represented on a logarithmic scale with a unit called the decibel (dB). Sound on the decibel scale is referred to as a sound level. The threshold of human hearing is approximately 0 dB, and the threshold of discomfort or pain is around 120 dB.

Noise levels are computed over a 24-hour period and adjusted for nighttime annoyances to produce the day-night average sound level (DNL). DNL is the community noise metric recommended by the USEPA (USEPA 1972) and has been adopted by most Federal agencies (Federal Interagency Committee on Noise [FICON] 1992).

A DNL of 65 dB is the level most commonly used for noise planning purposes and represents a compromise between community impact and the need for activities like construction which do cause noise. Areas exposed to DNL above 65 dB are generally not considered suitable for residential use. A DNL of 55 dB was identified by USEPA as

a level below which there is effectively no adverse impact (USEPA 1972). This is the lowest level at which adverse health effects could be credible in a DNL of 75 dB (USEPA 1972). The very high annoyance levels make such areas unsuitable for residential land use.

SECTION 4.0
ENVIRONMENTAL CONSEQUENCES



4.0 ENVIRONMENTAL CONSEQUENCES

4.1 Land Use

4.1.1 Proposed Action

Land use in the project area would not be affected by the proposed action. The proposed station expansion is located on land owned by the USBP and is currently in use as an unpaved and unsecured parking/storage area.

4.1.2 No Action Alternative

Implementation of the No Action Alternative would have no effect upon the region's current land use.

4.2 Soils and Prime Farmland

4.2.1 Proposed Action

Implementation of the proposed action would disturb approximately 0.92 acres of soils. The project area would be paved to permit construction, removing these soils from future biological production. Project area soils are considered prime farmland; however, minimal impacts to prime farmland are anticipated because the proposed location is on private, previously disturbed land and the size of the disturbance (0.92 acres) is limited. In addition, this site is not currently in agricultural production and adjacent lands are not being used for agricultural purposes.

4.2.2 No Action Alternative

No impacts to soils or prime farmlands would occur under the No Action Alternative.

4.3 Air Quality

4.3.1 Proposed Action

Short-term degradation in local air quality may be experienced during construction of the proposed USBP Station expansion. Emission sources would be limited primarily to construction equipment and vehicles used to transport construction workers and materials to the site and carry out maintenance processes. Construction emissions from motorized vehicles will contribute only a small amount of pollutants for a short period of time; therefore, impacts would be insignificant. Since the City of Ajo is a non-attainment area for PM₁₀ and actions must comply with the State Implementation Plan (SIP) for the

City, particulate emissions from the earthwork involved to lay building foundations and the new asphalt for the associated parking are the greatest concern. Dust emissions, however, would be localized and short-term. Furthermore, dust emissions during construction would be minimized by using water trucks for dust control (see Section 5.0 for environmental design features). Long-term beneficial impacts from fugitive dust would result from a reduction of the number of vehicles parking in unpaved areas.

Under regulations promulgated pursuant to the Clean Air Act, 42 USC 7506(c), the City of Ajo is located in a non-attainment area for PM₁₀ and SO₂. As a result of the proposed project's proximity to a non-attainment area, construction activities must conform with the State Implementation Plan (SIP) such that the project will not; (a) cause or contribute to any new violation of any standard in any way; (b) increase the frequency or severity of any violation of any standard in any area; or (c) delay timely attainment of any standard or any required interim emission reductions or other milestones in any area. With the use of best management practices during construction, it is anticipated that emissions would be far below the *de minimus* threshold standards and therefore, the project is in conformity with applicable implementation plans and conformity requirements pursuant to Section 176(c)(1) of the Clean Air Act, as amended.

4.3.2 No Action Alternative

The No Action Alternative would have no impact, either beneficial or adverse, on the region's air quality.

4.4 Water Resources

4.4.1 Proposed Action

Short-term adverse impacts to surface water quality are anticipated from the filling and routing of the ephemeral gully located within the boundaries of the project area. Construction activities will most likely cause minor soil erosion from short-term construction activities. Loss of vegetation due to construction adjacent to these areas is not expected to affect water quality in the area. The use of Best Management Practices (BMPs) including, erosion and sedimentation control measures, are discussed in Section Five.

Mr. Kelly Ryan of the USACE, Los Angeles Field Office in Phoenix was consulted regarding Section 404 compliance for filling and routing of the ephemeral gully that traverses the project site. Impacts to the gully would qualify for Nationwide Permit (NWP) Number 39 (Residential, Commercial and Institutional Developments). Basic requirements to qualify for NWP 39 specify the loss of waters of the U.S. must not be greater than a half acre or greater than 300 linear feet of streambed. The affected waters of the U.S. for this project are less than 0.01 acres and approximately 210 linear feet of streambed. The Arizona Department of Environmental Quality (ADEQ) was also consulted regarding 401 Water Quality Certification. ADEQ has certified NWP 39 with conditions. Conditions imposed on NWP 39 by ADEQ are as follows:

CWA 401 Conditions For NWPs 3, 7, 12, 14, 39, 42 & 43:

- 1) Prior to use as fill, earthen materials obtained from agricultural, mining or other potentially contaminated areas shall be tested and evaluated for compliance with General Condition 18 (Suitable Materials).
- 2) The work area shall be restored after construction to an environmentally acceptable condition. All construction materials and residues, construction equipment, and other non-native materials shall be removed and properly disposed outside of the 100-year floodplain.
- 3) Upon completion of construction, the authorized work shall restore or maintain the stability of upstream and downstream watercourse segments with respect to erosion and sedimentation.
- 4) Earthen fill placed in locations subject to scour shall contain not more than ten percent (10%) of particles that are finer than 0.25 mm diameter (passing a No. 60 sieve, on a dry weight basis).
- 5) Stockpiles of construction materials shall be stored outside of jurisdictional waters.
- 6) No discharge of process water, material processing residues, wastewater or other residual materials is authorized within jurisdictional waters.

A NWP and CWA 401 state water quality certification do not obviate the need to obtain other Federal, state or local authorizations by law (e.g., NPDES permits for discharge of effluent or stormwater). These conditions would be adhered to during project construction. No jurisdictional wetlands were found within the project area. Because site grading would not involve more than five acres, a Storm Water Pollution Prevention Plan, as required by Section 402 of the Clean Water Act, would not be required. In order

to minimize the potential for erosion from storm water runoff, grading shall occur during the dry season.

4.4.2 No Action Alternative

Under the No Action Alternative, no grading would be done, and no other activities effecting water quality would be conducted. Therefore, under this alternative, there would be no impacts to water quality.

4.5 Biological Resources

4.5.1 Proposed Action

Vegetation

The project site is comprised of a mesquite/ironwood community that has been previously disturbed. Other species present in this community include white bursage, creosotebush, and paloverde. Approximately 0.92 acres, the majority of which is sparsely vegetated mesquite, will be cleared. None of the vegetation types in the project area are rare in southeast Arizona; however, several species found within the boundaries of the project site are protected from harvesting and salvaging operations by the Arizona Native Plant Law. These species are discussed in further detail in the Threatened and Endangered Species section below. The loss of vegetation at the project site will not constitute local or regional degradation of an important class of habitat. No significant impact would occur to the general plant communities of the area from construction or operation of the USBP station expansion.

Fish and Wildlife

One ephemeral drainage would be filled and routed under the Proposed Action. No fish or other aquatic assemblages would be impacted because of the ephemeral nature of this drainage. Some wildlife habitat is expected to be displaced as a result of vegetation clearing; however, similar habitats exist directly adjacent to the project site. Additionally, the project site is limited in size (0.92 acres) and has been previously disturbed; therefore, impacts to wildlife would be minimal and insignificant.

Threatened and Endangered Species

Under the Proposed Action, there would be no impact to any of the Federally protected species due to a lack of suitable habitat. The Acuna cactus, Nichol turk's head cactus,

Pima pineapple cactus, cactus ferruginous pygmy owl, masked bobwhite, lesser long-nosed bat, and Sonoran pronghorn are found in Sonoran desertscrub; therefore, there is a potential for them to occur in the surrounding areas of the proposed station expansion. However, because the project site has been previously disturbed, this area is unsuitable habitat for these species. The surface waters that transect the project site are ephemeral and therefore, are not suitable habitat for riparian and aquatic species such as the Huachuca water umbel, Kearney's blue star, southwestern willow flycatcher, Chiricahua leopard frog, Sonoyta mud turtle, and the five species of fish. Neither the construction activity nor subsequent operation of the station would impact any of the Federally listed species.

Three saguaro cacti were identified near the southeast corner of the project area. These cacti are protected under the Arizona Native Plant Law and should be flagged, fenced, and otherwise protected during construction activities. If these cacti are removed, a Native Plant Removal Application must be filed and approved with the Arizona Department of Agriculture, Plant Services Division. In addition, mesquite trees, paloverde, and ironwood were also noted in the project area. These species are also protected under the Arizona Native Plant Law and a Notice of Intent to Clear Land must be filed with and approved by the Plant Services Division 30 days before vegetation clearing is initiated.

4.5.2 No Action Alternative

No impacts to vegetation, wildlife, or protected species within the project area would occur as a result of the No Action Alternative.

4.6 Cultural Resources

4.6.1 Proposed Action

As a result of the surveys conducted on 8 January 2001, no prehistoric, historic, or architectural resources were identified within the project boundaries. As a result, no adverse impacts are expected to any cultural resources or historic properties as a result of this action. However, if any unknown cultural resources are found during construction, work will temporarily stop in the immediate vicinity of the find(s) and that a qualified archaeologist along with the Arizona SHPO be contacted to assess significance and determine appropriate mitigation procedures.

4.6.2 No Action Alternative

No direct impacts to cultural resources would occur upon implementation of the No Action Alternative.

4.7 Socioeconomics

4.7.1 Proposed Action

No adverse impacts to the regional economy or demographics are anticipated from implementation of the Proposed Ajo Station expansion. Short-term benefits to local retail businesses are expected during project construction. The actual construction activity impacts would be very localized due to the temporary nature of the construction activities and the fact that the predominance of labor for these projects in the past has been provided by the Arizona National Guard or Active/Reserve military units. Consequently, the purchase of construction materials and supplies (increase in local sales and income) typically constitute the primary, direct short-term economic effect in the project vicinity.

On the other hand, implementation of any of the action alternative would enhance the probability of success for the INS and/or USBP although the levels of enhanced success would vary among alternative. This increased success in controlling illegal drug activity and the increasing flow of UDAs into the area would benefit all populations, regardless of income, nationality or ethnicity. Long term positive impacts would occur on local, regional and national levels by the reduction of illegal immigrants and drug trafficking and the associated social costs.

4.7.2 No Action Alternative

The No Action Alternative would not impact the area adversely or beneficially. The No Action Alternative would not result in any short term benefits to local retail businesses.

4.7.3 Environmental Justice

Executive Order 12898 of February 11, 1994, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" requires each Federal agency to identify and address, as appropriate, disproportionate adverse effects of its proposed actions on minority populations and low-income communities. No residences or commercial structures would be displaced as a result of the Proposed

Action; therefore, implementation of the Proposed Action would not disproportionately affect minority or low-income populations in the area.

As stated in Section 3.6, only 30 percent of the estimated 1999 population claim to be of Hispanic origin and 16.9 percent of the total population of all ages lives in poverty. However, the proposed action would not result in any displacement of housing and/or businesses of low income populations, minority populations, or Indian tribes. No edible fish, vegetation, or wildlife would be negatively impacted through this action. Furthermore, the property is already owned by the USBP and has not been used for subsistence gathering. Therefore the Proposed Action does not discriminate on the basis of race, color, or national origin and no minority or low-income populations reside within the project area. The Proposed Action would not have an adverse effect on human or socioeconomic resources; therefore, the Proposed Action is consistent with the requirements of EO 12898 on Environmental Justice.

4.8 Hazardous Materials

4.8.1 Proposed Action

No hazardous materials were observed during field surveys; therefore, construction and maintenance activities should not be hindered by the presence of hazardous material contamination. Construction activities would require various types of heavy equipment, and would involve the importation of various building and finish-out materials. The potential exists that motor oil, gasoline, diesel, and other hazardous materials could be accidentally released during the construction process. The use of proper work habits, frequent vehicle inspections, and careful handling of hazardous materials would minimize the possibility of either leaks or spills. Similar management practices would eliminate the chance of leaks or spills of hazardous materials (fuels and lubricants) during the operation and maintenance of the station.

An accidental release or spill could occur as a result of fuels, oils, lubricants, and other hazardous or regulated materials brought on site for the proposed construction activities. A spill could result in potentially adverse impacts to on-site soils, and threaten the health of the local population, as well as wildlife and vegetation. However, the amounts of fuel and other lubricants and oils would be limited, and the spill countermeasure equipment

would be located on site to quickly limit any contamination. A spill prevention and response plan would be developed and implemented as part of the Proposed Action.

In the event that unknown hazardous wastes could be encountered during construction, construction personnel would be informed about the potential to encounter hazardous wastes and the appropriate procedures to use if suspected hazardous contamination is encountered. Under the Proposed Action, it is assumed that worker-safety risks will be reduced through the implementation of standard safe practices, such as wearing hard hats, steel-toed boots, gloves, ear protection, facemasks, safety vests, and other equipment, where appropriate and/or prescribed by State and/or Federal worker health and safety laws and regulations.

4.8.2 No Action Alternative

The No Action Alternative would not increase or decrease hazardous materials in the region.

4.9 Noise

4.9.1 Proposed Action

Implementation of the Proposed Action would result in temporary increases in ambient noise levels due to construction activities, primarily paving activities at the USBP Ajo Station. These effects are temporary in nature and would not affect long-term ambient noise levels in the area.

4.9.2 No Action Alternative

Implementation of the No Action Alternative would result in no increase in ambient noise levels.

4.10 Cumulative Impacts

Cumulative impacts are impacts on the environment resulting from incremental impacts of the proposed action added to other past, present, and reasonably foreseeable future actions. Cumulative impacts associated with the proposed action are discussed in the following paragraphs.

In order to evaluate cumulative effects of the past and present projects in the region, EAs from previous and current operations in the region, a Programmatic Environmental Impact Statement (USACE 1994), and a Revised Supplemental Draft Programmatic Environmental Impact Statement (USACE 2000) developed for all Joint Task Force Six (JTF-6) activities in support of INS/USBP activities along the U.S.-Mexico border were reviewed.

The primary cumulative effect of the past and proposed projects is permanent loss of vegetation and associated wildlife habitat. Throughout the entire U.S.-Mexico Border (California to Texas), a total of 3,750 acres of vegetation, mostly semidesert grassland and desert scrub communities, has been removed by JTF-6 road, range, fence, and helipad repair and construction activities (USACE 2000). This represents less than 0.01 percent of the total land area within the area along the entire U.S.-Mexico border. Air emissions have been produced by vehicles, aircraft, and heavy equipment; however, these have not resulted in significant cumulative impacts due to the short duration of the activities, the dispersion capabilities of the region, and the remote locations of most of the operations.

Since 1994, INS and JTF-6 activities were expected to impact approximately 2,054 acres primarily due to construction of road and fence projects (USACE 2000). These effects combined with the area anticipated to be disturbed over the next five years and the amount altered previous to 1994, would amount to approximately 10,700 acres during the period 1989 to 2004. Most of the past and potential future effects have occurred in Texas, as would be expected since it is the largest state within the study area. If the proposed station expansion discussed in this EA occurs, another 0.94 acres of previously disturbed Sonoran Desert would be altered.

According to the USACE (2000) Revised Supplemental Draft Programmatic Environmental Impact Statement, the total amount of wetlands and Waters of the U.S. that have been impacted by INS/JTF-6 since 1994 has been less than five acres. Impacts to these valuable habitats have been avoided, wherever practicable, resulting in the low acreage figure. Since this project can not avoid effects to Waters of the U.S., coordination through the Section 404 permit process with the appropriate regulatory agencies would occur. If the proposed station expansion discussed in this EA occurs, less than 0.01 acres (210 ft X 2 ft) of a Waters of the U.S. would be altered.

Many positive cumulative impacts have occurred throughout the border region and the nation through reductions in illegal drug smuggling activities. In addition, by strengthening the ability of agents to perform their law enforcement duties, these actions can have cumulative positive socioeconomic impacts through reductions in illegal immigration, though the levels of these benefits are, at this point, unquantifiable.

INS is not aware of any other public projects planned for the project area that would cause additional cumulative impacts on the environment. However, INS/USBP is currently considering additional infrastructure construction in the AO. These activities include the construction of vehicle barriers and the installation of approximately 13 Remote Video Surveillance (RVS) systems within the Ajo station AO. Although specific locations have not been determined at this time, none of the projects are planned near the proposed station expansion. Impacts from the construction of these RVS sites and the vehicle barriers will be assessed, as required by NEPA, when specific locations have been identified.

Since the proposed station expansion is located within habitats that are already disturbed, elimination of 0.94 acres of vegetation at this site is not considered a significant cumulative effect.

SECTION 5.0
ENVIRONMENTAL DESIGN FEATURES



5.0 Environmental Design Features

5.1 Air Quality

In order to minimize the amount of project-related dust emissions, the following management practices shall be implemented by the contractor during project construction: (1) minimize land disturbance; (2) water trucks shall be used to wet exposed areas and control emissions of fugitive dust caused by grading and hauling activities and vehicular travel on unpaved road surfaces; and (3) truck and trailer beds shall be covered when hauling dirt and aggregate. In addition, all construction equipment shall be maintained and operated in a manner that produces the least amount of emissions and maintains the lowest possible noise levels. Standard noise attenuation equipment, such as mufflers, must be used on all construction equipment and vehicles and must be maintained in good operating condition, free from leaks and holes.

5.2 Water Resources

Since the proposed construction does not affect greater than five acres, a Stormwater Pollution Prevention Plan (SWPPP) would not be necessary. Early coordination by INS with the USACE Los Angeles District, Regulatory Branch and Arizona Department of Water Resources agencies has been initiated concerning fill and routing of the ephemeral drainage. Applicable Section 404 permit procedures shall be completed prior to initiation of the construction activities. Construction techniques to reduce the potential for soil erosion and subsequent sedimentation in water resources would include installing culverts, and the suspension of construction activities during rain events. All work would stop during heavy rain and would not resume until conditions are suitable for movement of equipment and material.

5.3 Biological Resources

Direct impacts to approximately 0.92 acres of vegetation within the project area are unavoidable due to paving operations. Any areas not paved should be revegetated for compliance with Executive Order 13112 Invasive Species (64 Federal Register 6183, February 9, 1999) in order to decrease the potential of promoting the establishment and spread of invasive species and Section 7(1)(a) of the ESA to enhance conservation of threatened and endangered species.

The impact to wildlife will be minimal due to the small amount of actual habitat loss, as well as to the existing disturbance to each site. The Migratory Bird Treaty Act (MBTA) requires that Federal agencies obtain a permit from the USFWS if construction activity would result in the take of a migratory bird. If construction were scheduled during nesting seasons (March through August), surveys would be performed to identify active nests, which would be avoided. Another mitigation measure that would be considered is to schedule all construction activities outside the nesting season (September through February). Bird surveys would not be required if construction activities occur outside of the nesting season. No impacts to Federal and state protected threatened and endangered species are expected.

Two saguaro cacti near the southeast corner of the project area are protected under the Arizona Native Plant Law. These two cacti would be flagged, fenced, and/or otherwise protected during construction activities. If these cacti are removed, a Native Plant Removal Application must be filed and approved with the Arizona Department of Agriculture, Plant Services Division. In addition, mesquite trees, paloverde, and ironwood were also noted in the project area. These species are also protected under the Arizona Native Plant Law and a Notice of Intent to Clear Land must be filed with, and approved by, the Plant Services Division 30 days before vegetation clearing is initiated.

5.4 Cultural Resources

As a result of the surveys, no prehistoric, historic, or architectural resources were identified within the project boundaries. If any cultural remains are uncovered during construction, activities will stop and the Arizona SHPO and a qualified archaeologist will be notified immediately in order to assess the significance of the remains and determine appropriate mitigation measures.

The revised 36 CFR part 800 has been broadened to emphasize more strongly the roles of tribes as consulting parties. According to Sec. 800.2(c)(3) of the revised regulations, Federal agencies are required to consult not only with the SHPO and/or the Tribal Historic Preservation Officer, but also with relevant tribes that might claim cultural affinity in the area of the undertaking. Such consultation would take place on all Federal undertakings subject to Section 106 review, regardless of whether or not the undertaking

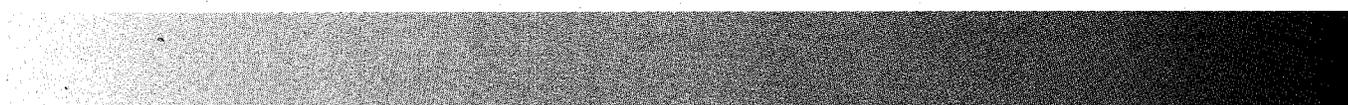
is on tribal lands. Such consultation will take place at all levels of the section 106 and NEPA compliance process with the tribal entities outlined in Section 3.6.4.

5.5 Hazardous Materials

At this time, no known or potential hazardous or toxic waste sites have been identified at or adjacent to the project site. However, if evidence of hazardous waste dumping or contamination is discovered during construction, work shall be temporarily halted until the suspicious materials are analyzed and identified by a laboratory. If the materials are determined to be hazardous, they shall be transported to a licensed disposal facility following appropriate coordination with applicable regulatory agencies.

Also, as with all construction projects, the use and maintenance of equipment will involve a risk of accidental release and exposure to hazardous substances such as gasoline, oil and other fluids used in operation and maintaining heavy equipment. The observance and enforcement of all standard operating procedures and safety precautions will reduce the potential for accidental spills and releases.

SECTION 6.0
PUBLIC INVOLVEMENT



6.0 PUBLIC INVOLVEMENT

6.1 Agency Coordination

This chapter discusses consultation and coordination that will occur during preparation of the draft and final versions of this document. This includes contacts that are made during the development of the proposed action and writing of the EA. Agency correspondence/consultation letters are included in Appendix C. Formal and informal coordination has been conducted with the following:

- U.S. Fish and Wildlife Service (USFWS)
- U.S. Environmental Protection Agency (USEPA)
- Natural Resource Conservation Service (NRCS)
- Arizona State Historic Preservation Office (SHPO)
- Arizona Game and Fish Department (AGFD)
- Arizona Department of Environmental Quality (ADEQ)
- Arizona Department of Agriculture
- U.S. Army Corps of Engineers (USACE), Los Angeles District, Regulatory Branch
- Native American Tribes

6.2 Public Review

The draft EA was made available for public review, and the Notice of Availability (NOA) was published in the *Arizona Daily Star* and the *Ajo Copper News*. Proofs of publication are included in Appendix D. Exhibit 1 is a copy of the NOA that was published. Comments concerning the draft were received from the AGFD, NRCS, and the Arizona Department of Agriculture; these letters are included in Appendix D. Changes were incorporated into the final EA.

Two comments from private individuals were received about the proposed project. Both commenters supported the project, however, one further requested to add the extra parking lot on the north side of the compound to provide noise and traffic relief for the residents that live nearby.

Exhibit 1

NOTICE OF AVAILABILITY

**DRAFT ENVIRONMENTAL ASSESSMENT
IMMIGRATION AND NATURALIZATION SERVICE
U.S. BORDER PATROL
EXPANSION OF PARKING & ADMINISTRATION FACILITIES
USBP AJO STATION
WHY, ARIZONA**

The public is invited to comment on the Draft Environmental Assessment (EA) for the Immigration and Naturalization Service and U.S. Border Patrol's proposed expansion of parking and administration facilities at the Ajo Station in Why, Arizona. The Draft EA will be available at the following libraries: Tucson Public Library - Main Library, 101 N. Stone Ave., Tucson, Arizona, 85701 (520) 791-4391 and the Pima County Library—Ajo Branch, 33 Plaza, Ajo, Arizona (520) 387-6075. Send written comments to Mr. Eric Verwers, U.S. Army Corps of Engineers, Fort Worth District, 819 Taylor Street, Room 3A28, Fort Worth, Texas 76012 (817) 978-0202. Comments will be received until March 28, 2001.

SECTION 7.0
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7.0 REFERENCES

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SECTION 8.0
LIST OF PREPARERS



8.0 LIST OF PREPARERS

The following people were primarily responsible for preparing this EA.

NAME	AGENCY/ORGANIZATION	DISCIPLINE/EXPERTISE	EXPERIENCE	ROLE IN PREPARING EA
Kevin Feeney	INS Facilities and Engineering Division	Hazardous Materials	20 years HAZMAT and NEPA studies	EA Contract Manager and review
Eric Verwers	INS A-E Resource Center	Biology	14 years in NEPA and related studies	Program manager and EA review and coordination
Pattience Patterson	USACE Fort Worth District	Archaeology	25 years Archaeological investigations and administration	USACE Technical Representative/Project Manager
Kelly Ryan	USACE Los Angeles District	Civil Engineer	19 years in design and construction management of public works projects	USACE Technical Representative, NWP assistance
Chris Ingram	Gulf South Research Corporation	Biology/Ecology	22 years NEPA and related studies	EA review; field surveys; impact analysis
Suna Knaus	Gulf South Research Corporation	Forestry and Wildlife	14 years NEPA and related studies	EA review
Mike Schulze	Gulf South Research Corporation	Biology/Ecology	3 years NEPA and related studies	Project manager, alternative formulation, field surveys
Tonya Bolton	Gulf South Research Corporation	Biology/Wildlife Management	2 years NEPA and related environmental studies	Threatened and Endangered Species, Hazardous Materials
John Lindemuth	Gulf South Research Corporation	Anthropology/Project Archaeologist	8 years archaeological studies	Cultural resources
Sharon Newman	Gulf South Research Corporation	GIS/Graphics	7 years GIS analysis	Graphics and GIS
Josh McEnany	Gulf South Research Corporation	Forest Management	1 year NEPA and related studies	Soils; Air quality; Wildlife
Donna Bankston	Gulf South Research Corporation	Forest Management	1 year NEPA and related studies	Land use; Vegetation; Socioeconomics
Laurie Slawson	Aztlan Archeology, Inc.	Archaeology/Project Archaeologist	26 years experience in archaeological studies	Cultural resources surveys and analyses
Morgan Reider	Aztlan Archeology, Inc.	Archaeology/Project Archaeologist	15 years experience in archaeological studies	Cultural resources surveys and analyses

SECTION 9.0
LIST OF ACRONYMS/ABBREVIATIONS

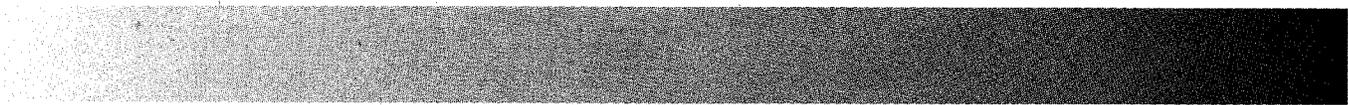


9.0 LIST OF ACRONYMS/ABBREVIATIONS

ACHP	Advisory Council on Historic Preservation
ADEQ	Arizona Department of Environmental Quality
AGFD	Arizona Game and Fish Department
AO	Area of Operations
AST	Aboveground Storage Tank
ASM	Arizona State Museum
BLM	Bureau of Land Management
BMP	Best Management Practice
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CO	Carbon monoxide
CWA	Clean Water Act
dB	decibel
DNL	day-night average noise level
EA	Environmental Assessment
EMPACT	Environmental Monitoring for Public Access and Community Tracking
ER	Export Restricted
ESA	Endangered Species Act
FICON	Federal Interagency Committee on Noise
GRIC	Gila River Indian Community
HR	Harvest Restricted
HS	Highly Safeguarded
INA	Immigration and Nationality Act
INS	Immigration and Naturalization Service
IIRIRA	Illegal Immigration Reform and Immigrant Responsibility Act
LCRV	Lower Colorado River Valley
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NFRAP	No Further Remedial Action Planned
NMFS	National Marine Fisheries Service
NRCS	Natural Resources Conservation Service
NO ₂	Nitrogen Dioxide
NO _x	Oxides of Nitrogen
NOA	Notice of Availability
NRCS	Natural Resource Conservation Service
NWP	Nationwide Permits
NWR	National Wildlife Refuge
O ₃	Ozone
OHWM	Ordinary High Water Marks
Pb	Lead
PCPI	Per Capita Personal Income
PM	Particulate Matter
RCRA	Resource Conservation and Recovery Act
ROI	Region of Influence
SA	Salvage Assessed
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan

SO ₂	Sulfur Dioxide
SR	Salvage Restricted
SWPPP	Stormwater Pollution Prevention Plan
TPI	Total Personal Income
TSP	Total Suspended Particulates
UDA	Undocumented Alien
USACE	U.S. Army Corps of Engineers
USBP	U.S. Border Patrol
USEPA	U.S. Environmental Protection Agency
USFS	U.S. Forest Service
USFWS	U.S. Fish and Wildlife Service
WC	Wildlife of Special Concern

APPENDIX A
SITE PHOTOGRAPHS





Photograph 1: View across project area toward existing Ajo Station, facing west.



Photograph 2: View of ephemeral drainage which transects property, facing southeast.



Photograph 3: View of ephemeral drainage which transects property, facing northwest.



Photograph 4: View to south across project area.



Photograph 5: View west across project area.



Photograph 6: View west across project area towards wall of existing Ajo Station.



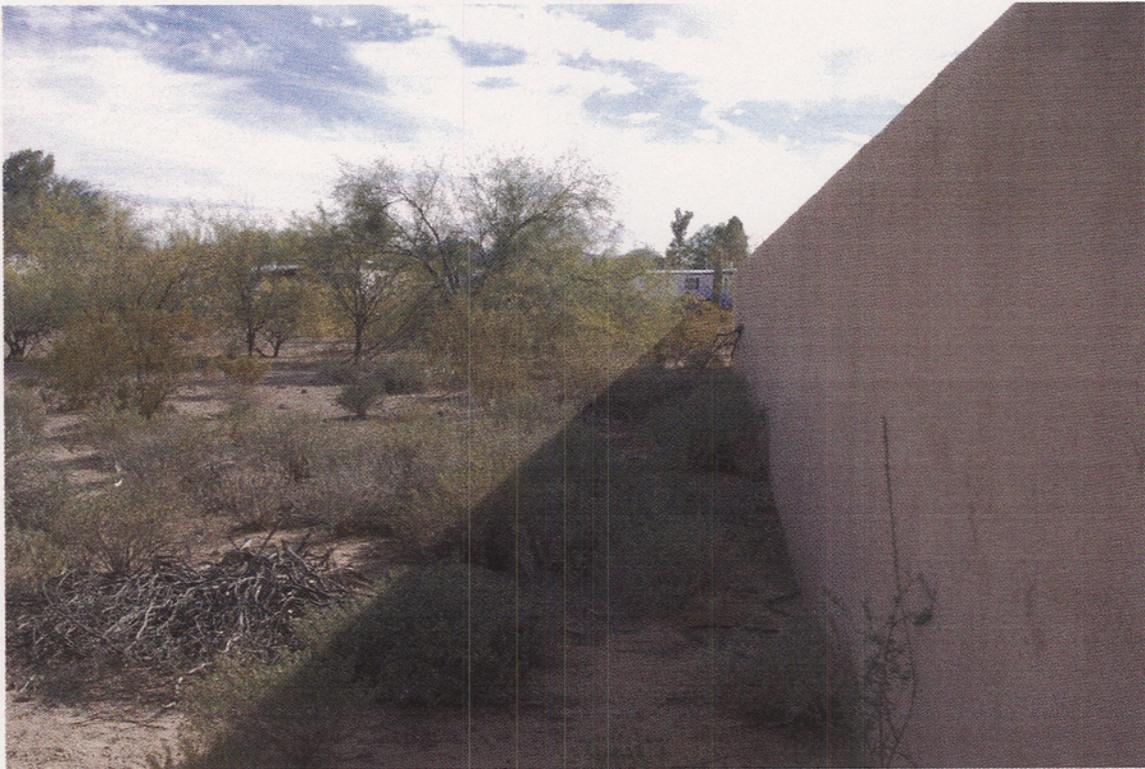
Photograph 7: Saguaro cacti at southeastern edge of project area.



Photograph 8: Northern end of ephemeral drainage, facing southeast.



Photograph 9: View south across project area.



Photograph 10: View south across project area and of existing wall to be removed.

APPENDIX B
LIST OF STATE PROTECTED SPECIES



Appendix B
State Protected Species of Potential Occurrence in Pima County, Arizona

Common Name	Scientific Name	Federal Status	WSCA Status	NPL Status
MAMMALS				
Sonoran pronghorn	<i>Antilocapra americana sonoriensis</i>	E	WC	--
Mexican long-tongued bat	<i>Choeronycteris mexicana</i>	SC	WC	--
western red bat	<i>Lasiurus blossevillii</i>	--	WC	--
lesser long-nosed bat	<i>Leptonycteris curasoae yerbabuena</i>	E	WC	--
California leaf-nosed bat	<i>Macrotus californicus</i>	SC	WC	--
jaguar	<i>Panthera onca</i>	E	WC	--
BIRDS				
northern goshawk	<i>Accipiter gentilis</i>	SC	WC	--
baird's sparrow	<i>Ammodramus bairdii ammordramus</i>	SC	WC	--
northern gray hawk	<i>Asturina nitida maxima</i>	SC	WC	--
common black-hawk	<i>Buteogallus anthracinus</i>	--	WC	--
crested caracara	<i>Caracara cheriway</i>	--	WC	--
western yellow-billed cuckoo	<i>Coccyzus americanus occidentalis</i>	--	WC	--
masked bobwhite	<i>Colinus virginianus ridgwayi</i>	E	WC	--
black-bellied whistling duck	<i>Dendrocygna autumnalis</i>	--	WC	--
northern buff-breasted flycatcher	<i>Empidonax fulvifrons pygmaeus</i>	SC	WC	--
southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	E	WC	--
American peregrine falcon	<i>Falco peregrinus anatum</i>	SC	WC	--
cactus ferruginous pygmy-owl	<i>Glaucidium brasilianum cactorum</i>	E	WC	--
rose-throated becard	<i>Pachyramphus aglaiae</i>	--	WC	--
osprey	<i>Pandoin haliaetus</i>	--	WC	--
Mexican spotted owl	<i>Strix occidentalis lucida</i>	T	WC	--
thick-billed kingbird	<i>Crassirostris tyrannus</i>	--	WC	--
tropical kingbird	<i>Melanocholicus agosia</i>	--	WC	--
REPTILES				
Sonoran desert tortoise	<i>Gopherus agassizii</i>	SC	WC	--
Mexican garter snake	<i>Thamnophis eques megalops</i>	SC	WC	--
Cowles fringe-toed lizard	<i>Uma notata rufopunctata</i>	SC	WC	--
AMPHIBIANS				
Great Plains narrowmouth toad	<i>Gastrophryne olivacea</i>	--	WC	--
lowland burrowing treefrog	<i>Pterohyla fodiens</i>	--	WC	--
Chiricahua leopard frog	<i>Rana chiricahuensis</i>	PT	WC	--
lowland leopard frog	<i>Rana yavapaiensis</i>	SC	WC	--
FISHES				
Quitobaquito desert pupfish	<i>Cyprinodon macularius eremus</i>	E	WC	--
desert pupfish	<i>Cyprinodon macularius macularius</i>	E	WC	--
Gila chub	<i>Gila intermedia</i>	C	WC	--
Gila topminnow	<i>Poeciliopsis occidentalis occidentalis</i>	E	WC	--
PLANTS				
Pima Indian mallow	<i>Abutilon parishii</i>	SC	--	SR
Thurber Indian mallow	<i>Abutilon thurberi</i>	--	--	SR
Santa Cruz striped agave	<i>Agave parviflora ssp. parviflora</i>	SC	--	HS
Trelease agave	<i>Agave schottii var. treleasei</i>	SC	--	HS
Goodding onion	<i>Allium gooddingii</i>	SC	--	HS
Plummer onion	<i>Allium plummerae</i>	--	--	SR

Appendix B Continued.

Common Name	Scientific Name	Federal Status	WCSA Status	NPL Status
saiya	<i>Amoreuxia gonzalezii</i>	SC	--	HS
Kearney's blue star	<i>Amsonia kearneyana</i>	E	--	HS
saguaro cactus	<i>Cereus giganteus</i>	--	--	HS
Pima pineapple cactus	<i>Coryphantha scheeri var. robustispina</i>	E	--	HS
Gentry indigo bush	<i>Dalea tentaculoides</i>	--	--	HS
Nichol turk's head cactus	<i>Echinocactus horizonthalonius var. nicholii</i>	E	--	HS
acuna cactus	<i>Echinomastus erectocentrus var. acunensis</i>	C	--	HS
needle-spined pineapple cactus	<i>Echinomastus erectocentrus var. erectocentrus</i>	SC	--	SR
San Carlos wild-buckwheat	<i>Eriogonum capillare</i>	SC	--	SR
golden barrel cactus	<i>Ferocactus eastwoodiae</i>	--	--	SR
Bartram stonecrop	<i>Graptopetalum bartramii</i>	SC	--	SR
crested coral root	<i>Hexalectris spicata</i>	--	--	SR
Huachuca water umbel	<i>Lilaeopsis schaffneriana var. recurva</i>	E	--	HS
lemmon lily	<i>Lilium parryi</i>	SC	--	SR
broadleaf twayblade	<i>Listera convallarioides</i>	--	--	SR
senita	<i>Lophocereus schottii</i>	--	--	SR
feather bush	<i>Microphylla var. thornberi</i>	--	--	SR
slender adders mouth	<i>Malaxis tenuis</i>	--	--	SR
fishhook cactus	<i>Mammillaria mainiae</i>	--	--	SR
Thornber fishhook cactus	<i>Mammillaria thornberi</i>	--	--	SR
varied fishhook cactus	<i>Mammillaria viridiflora</i>	--	--	SR
dahlia rooted cereus	<i>Neoevansia striata</i>	--	--	SR
catalina beardtongue	<i>Penstemon discolor</i>	--	--	HS
Ajo rock daisy	<i>Perityle ajoensis</i>	--	--	SR
Thurber's bog orchid	<i>Platanthera limosa polemonium</i>	--	--	SR
fallen ladies'-tresses	<i>Schiedeella parasitica</i>	--	--	SR
organ pipe cactus	<i>Stenocereus thurberi</i>	--	--	SR
blue sand lily	<i>Palmeri tumamoca</i>	--	--	SR
tumamoc globeberry	<i>Macdougalii vauquelinia</i>	--	--	SR

Legend: WCSA – Wildlife of Special Concern in Arizona

NPL – Arizona Native Plant Law

E – Federally Endangered

T – Federally Threatened

C – Candidate

PT – Proposed Threatened

SC – Species of Concern

WC – Wildlife of Special Concern

SR – Salvage Restricted: collection only with permit

HS– Harvest Restricted: permits required to remove plant by-products

Source: Arizona Game and Fish Department 2000b. Last Updated October 25, 2000.

APPENDIX C
CORRESPONDENCE





U.S. Department of Justice
Immigration and Naturalization Service
Architect-Engineer Resource Center

Attention: CESWF-PM-INS
819 Taylor Street, Room 3A28
P.O. Box 17300
Fort Worth, TX 76102-0300

January 12, 2001

Arizona Game and Fish Department
ATTN: Sabra Schwartz
2221 West Greenway Rd.
Phoenix, Arizona 85023

Dear Ms. Schwartz,

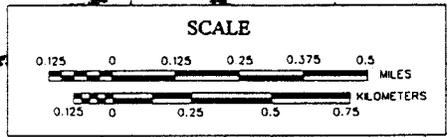
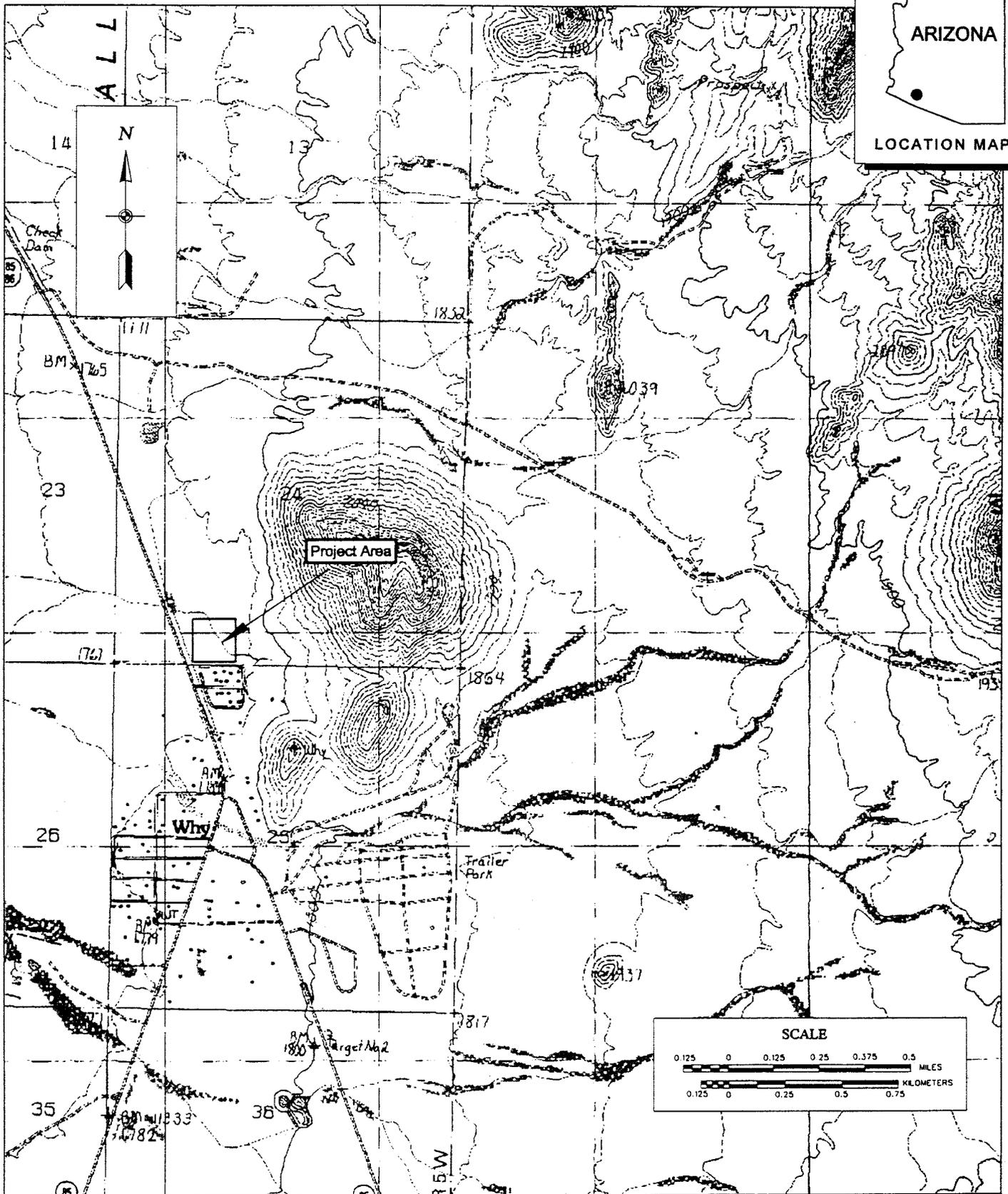
The Immigration and Naturalization Service (INS) intends to prepare an Environmental Assessment (EA) addressing the proposed expansion of the Ajo U.S. Border Patrol (USBP) Station in Why, Arizona. The EA will address the potential effects of expanding the Border Patrol station including new office and parking facilities. Attached you will find a portion of the Sikort Chuapo 7.5 minute U.S.G.S. quadrangle identifying the proposed project area.

We are currently in the process of gathering the most current information available regarding protected species potentially occurring within Pima County. A current list of Federally threatened, endangered, and candidate species that potentially occur in Pima County is included as an attachment. Please review this list for accuracy and completeness. The INS AERC respectfully requests that your agency provide a list and/or description of the sensitive resources (e.g., protected species, unique plant communities, etc.) that you believe may be affected by the proposed construction activities in this project area. We intend to provide your agency with a copy of the Draft EA once it is completed. Please inform us if additional copies are needed and/or if someone else within your agency other than you should receive the Draft EA.

Your prompt attention to this request would be greatly appreciated. If you have any questions, please call me at (817) 978-0202.

Sincerely,

Eric Verwers, Assistant Director
Immigration and Naturalization Service
A/E Resource Center



Portion of Sikort Chuapo, Arizona USGS (1990)
7.5' quadrangle showing the location of project area

gsr/c GULF SOUTH
RESEARCH
CORPORATION

SCALE: 1:24,000

DATE: January 2001

Table 3-3
 Federally Listed, Proposed, and Candidate Species Potentially Occurring in Pima County, Arizona

Common/Scientific Name	Status	Date Listed	Habitat
PLANTS			
<i>Acuna cactus</i>	C	7/1/75	Well drained knolls and gravel ridges in Sonoran desertscrub
<i>Echinomastus erectocentrus acunensis</i>			
Huachuca water umbel	E	1/6/97	Cienegas, perennial low gradient streams, wetlands
<i>Lilaeopsis schaffneriana</i> ssp. <i>recurva</i>			
Kearney's blue star	E	1/19/89	West-facing drainages in the Baboquivari Mountains
<i>Amsonia kearneyana</i>			
Nichol's turk's head cactus	E	10/26/79	Sonoran desertscrub on limestone slopes in desert hills
<i>Echinocactus horizonthalonius</i> var. <i>nicholii</i>			
Pima pineapple cactus	E	4/20/92	Sonoran desertscrub or semi-desert grassland communities
<i>Coryphantha scheeri robustispina</i>			
BIRDS			
Bald Eagle	T	1/12/95	Large trees or cliffs near water with abundant prey
<i>Haliaeetus leucocephalus</i>			
Cactus ferruginous pygmy-owl	E	3/10/97	Mature cottonwood/willow, mesquite bosques, and Sonoran Desertscrub
<i>Glaucidium brasilianum cactorum</i>			
Masked bobwhite	E	3/11/67	Desert grasslands with diversity of dense native grasses, forbs and brush
<i>Colinus virginianus ridgewayi</i>			
Mexican spotted owl	T	3/15/93	Nests in canyons and dense forests with multi-layered foliage structure
<i>Strix occidentalis lucida</i>			
Mountain plover	PT	2/16/99	Open arid plains, short-grass prairies, and scattered cactus
<i>Charadrius montanus</i>			
Southwestern willow flycatcher	E	2/27/95	Cottonwood/willow and tamarisk vegetation communities along rivers and streams
<i>Empidonax traillii eximius</i>			
AMPHIBIANS			
Chiricahua leopard frog	PT	6/14/00	Streams, rivers, backwaters, ponds, and stock tanks
<i>Rana chiricahuensis</i>			

Table 3-3. Continued.

MAMMALS				
Lesser long-nosed bat <i>Leptonycteris curasoae yerbabuena</i>	E	9/30/88	Desert scrub habitat with agave and columnar cacti present as food plants	
Mexican gray wolf <i>Canis lupus baileyi</i>	E	3/11/67	Chaparral, woodland, and forested areas; may cross desert areas	
Ocelot <i>Felis pardalis</i>	E	7/21/82	Humid tropical and sub-tropical forests, savannahs, and semi-arid thornscrub	
Sonoran pronghorn <i>Antilocapra americana sonoriensis</i>	E	3/11/67	Broad, intermountain alluvial valleys with creosote-bursage/palo verde-mixed cacti	
REPTILES				
Sonoyta mud turtle <i>Kinosternon sonoriense longifemorale</i>	C	9/19/97	Ponds and streams	
FISHES				
Desert pupfish <i>Cyprinodon macularius</i>	E	3/31/86	Shallow springs, small streams, and marshes; tolerates saline and warm water	
Gila chub <i>Gila intermedia</i>	C	9/18/85	Pools, springs, cienegas, and streams	
Gila topminnow <i>Poeciliopsis occidentalis occidentalis</i>	E	3/11/67	Small streams, springs, and cienegas vegetated shallows	
Loach minnow <i>Tiaroga cobitis</i>	T	10/28/86	Cool to warmwater, low gradient streams and rivers in the Gila River basin	
Spikedace <i>Meda fulgida</i>	T	7/1/86	Cool to warmwater streams and rivers of moderate gradient in the Gila River basin	

Legend:

E – Endangered

T – Threatened

C – Candidate

PT – Proposed Threatened

Source: USFWS 2000. Last Updated November 14, 2000.



U.S. Department of Justice
Immigration and Naturalization Service
Architect-Engineer Resource Center

Attention: CESWF-PM-INS
819 Taylor Street, Room 3A28
P.O. Box 17300
Fort Worth, TX 76102-0300

January 12, 2001

U.S. Fish and Wildlife Service
ATTN: Dave Harlow
2321 W. Royal Palm Road, Suite 103
Phoenix, Arizona 85021-4951

Dear Mr. Harlow,

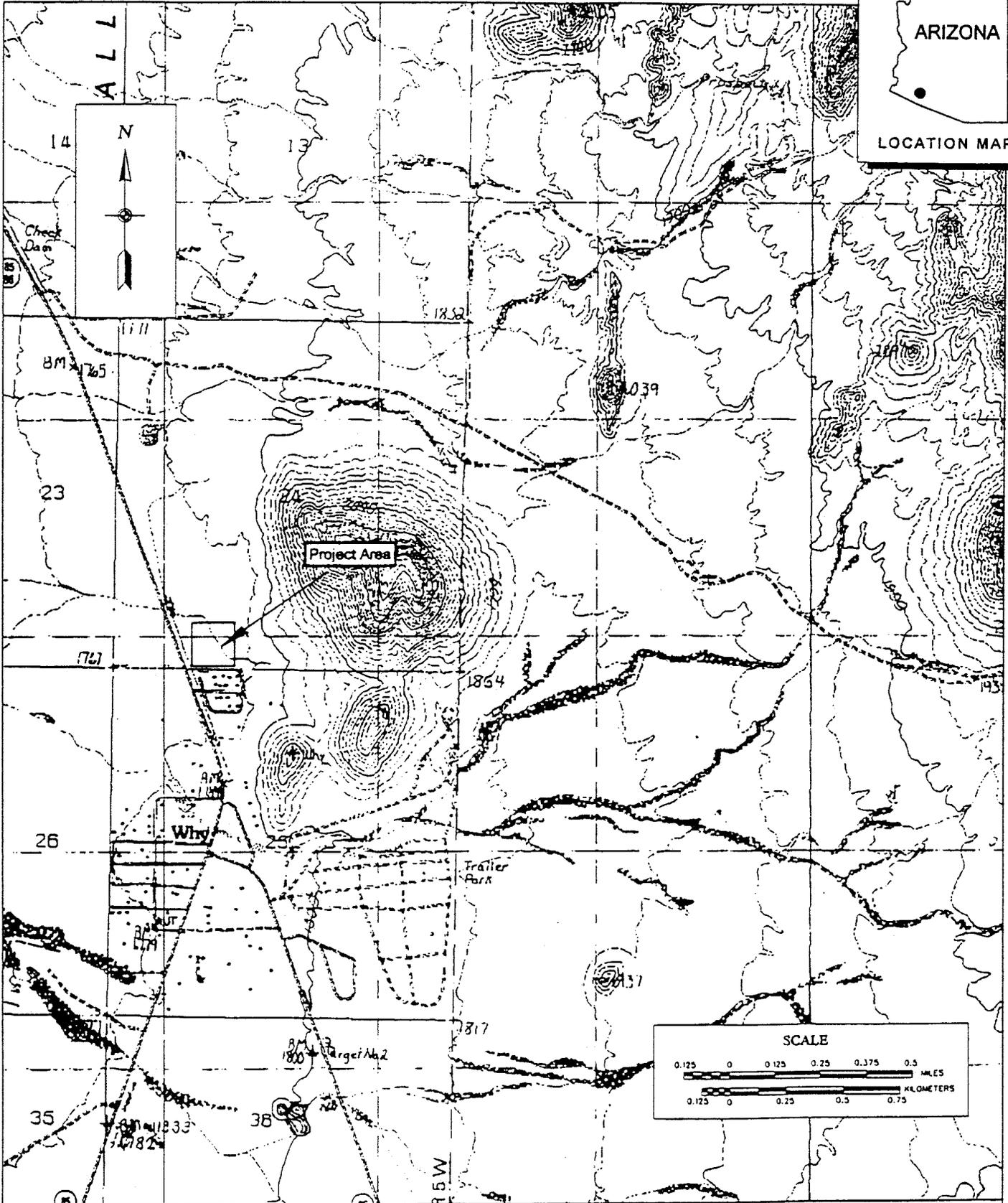
The Immigration and Naturalization Service (INS) intends to prepare an Environmental Assessment (EA) addressing the proposed expansion of the Ajo U.S. Border Patrol (USBP) Station in Why, Arizona. The EA will address the potential effects of expanding the Border Patrol station including new office and parking facilities. Attached you will find a portion of the Sikort Chuapo 7.5 minute U.S.G.S. quadrangle identifying the proposed project area.

We are currently in the process of gathering the most current information available regarding protected species potentially occurring within Pima County. A current list of Federally threatened, endangered, and candidate species that potentially occur in Pima County is included as an attachment. Please review this list for accuracy and completeness. The INS AERC respectfully requests that your agency provide a list and/or description of the sensitive resources (e.g., protected species, critical habitat, unique plant communities, etc.) that you believe may be affected by the proposed construction activities in this project area. We intend to provide your agency with a copy of the Draft EA once it is completed. Please inform us if additional copies are needed and/or if someone else within your agency other than you should receive the Draft EA.

Your prompt attention to this request would be greatly appreciated. If you have any questions, please call me at (817) 978-0202.

Sincerely,

Eric Verwers, Assistant Director
Immigration and Naturalization Service
A/E Resource Center



Portion of Sikort Chuapo, Arizona USGS (1990)
7.5' quadrangle showing the location of project area

gsr/c GULF SOUTH
RESEARCH
CORPORATION

SCALE: 1:24,000

DATE: January 2001

Table 3-3
 Federally Listed, Proposed, and Candidate Species Potentially Occurring in Pima County, Arizona

Common/Scientific Name	Status	Date Listed	Habitat
PLANTS			
<i>Acuna cactus</i>	C	7/1/75	Well drained knolls and gravel ridges in Sonoran desertscrub
<i>Echinomastus erectocentrus acunensis</i>			
Huachuca water umbel	E	1/6/97	Cienegas, perennial low gradient streams, wetlands
<i>Lilaeopsis schaffneriana</i> ssp. <i>recurva</i>			
Kearney's blue star	E	1/19/89	West-facing drainages in the Baboquivari Mountains
<i>Amsonia kearneyana</i>			
Nichol's turk's head cactus	E	10/26/79	Sonoran desertscrub on limestone slopes in desert hills
<i>Echinocactus horizontalis</i> var. <i>nicholii</i>			
Pima pineapple cactus	E	4/20/92	Sonoran desertscrub or semi-desert grassland communities
<i>Coryphantha scheeri robustispina</i>			
BIRDS			
Bald Eagle	T	1/12/95	Large trees or cliffs near water with abundant prey
<i>Haliaeetus leucocephalus</i>			
Cactus ferruginous pygmy-owl	E	3/10/97	Mature cottonwood/willow, mesquite bosques, and Sonoran Desertscrub
<i>Glaucidium brasilianum cactorum</i>			
Masked bobwhite	E	3/11/67	Desert grasslands with diversity of dense native grasses, forbs and brush
<i>Colinus virginianus ridgewayi</i>			
Mexican spotted owl	T	3/15/93	Nests in canyons and dense forests with multi-layered foliage structure
<i>Strix occidentalis lucida</i>			
Mountain plover	PT	2/16/99	Open arid plains, short-grass prairies, and scattered cactus
<i>Charadrius montanus</i>			
Southwestern willow flycatcher	E	2/27/95	Cottonwood/willow and tamarisk vegetation communities along rivers and streams
<i>Empidonax trailiitii extimus</i>			
AMPHIBIANS			
Chiricahua leopard frog	PT	6/14/00	Streams, rivers, backwaters, ponds, and stock tanks
<i>Rana chiricahuensis</i>			

Table 3-3. Continued.

MAMMALS				
Lesser long-nosed bat <i>Leptonycteris curasoae yerbabuena</i>	E	9/30/88	Desert scrub habitat with agave and columnar cacti present as food plants	
Mexican gray wolf <i>Canis lupus baileyi</i>	E	3/11/67	Chaparral, woodland, and forested areas; may cross desert areas	
Ocelot <i>Felis pardalis</i>	E	7/21/82	Humid tropical and sub-tropical forests, savannahs, and semi-arid thornscrub	
Sonoran pronghorn <i>Antilocapra americana sonoriensis</i>	E	3/11/67	Broad, intermountain alluvial valleys with creosote-bursage/palo verde-mixed cacti	
REPTILES				
Sonoyta mud turtle <i>Kinosternon sonoriense longifemorale</i>	C	9/19/97	Ponds and streams	
FISHES				
Desert pupfish <i>Cyprinodon macularius</i>	E	3/31/86	Shallow springs, small streams, and marshes; tolerates saline and warm water	
Gila chub <i>Gila intermedia</i>	C	9/18/85	Pools, springs, cienegas, and streams	
Gila topminnow <i>Poeciliopsis occidentalis occidentalis</i>	E	3/11/67	Small streams, springs, and cienegas vegetated shallows	
Loach minnow <i>Tiaroga cobitis</i>	T	10/28/86	Cool to warmwater, low gradient streams and rivers in the Gila River basin	
Spikedace <i>Meda fulgida</i>	T	7/1/86	Cool to warmwater streams and rivers of moderate gradient in the Gila River basin	

Source: USFWS 2000. Last Updated November 14, 2000.

Legend:

- E – Endangered
- T – Threatened
- C – Candidate
- PT – Proposed Threatened



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

REPLY TO
ATTENTION OF

February 2, 2001

Planning, Environmental and Regulatory Division

**SUBJECT: Proposed Immigration & Naturalization Service (INS) Ajo U.S. Border
Patrol Station Expansion Activities in Why, Arizona**

Honorable. Delia Carlyle, Chairperson
Ak Chin Community Council
42507 W. Peters and Nall Road
Maricopa, AZ 85239

Dear Chairperson Carlyle:

The U.S. Army Corps of Engineers, Fort Worth District, is preparing a Draft Environmental Assessment (EA) for proposed expansion activities at the Ajo US Border Patrol Station at Why, Arizona. The EA will address impacts specifically associated with the activities of the proposed project.

In accordance with federal laws and regulations in conducting these investigations, we wish to consult with the appropriate federally recognized Native American tribes who historically used this region or continue to use the area. We welcome your comments on this undertaking and look forward to hearing from you.

The proposed project area is located immediately adjacent to the existing Ajo Station within Why in Pima County, Arizona, and is situated 300 feet east of Highway 85 and approximately 28 miles north of the US/Mexico border. The proposed site includes a 0.92-acre area immediately adjacent to the eastern wall of the existing USBP station. This area consists of disturbed land that was previously used as a corral for USBP horses and contains scattered scrub/shrub vegetation and a small ephemeral drainage that transects the property from southeast to northwest (Figure 1-3). The site is relatively flat.

With project implementation, the proposed location would require paving to accommodate parking for government and private vehicles and the addition of several new buildings. The addition of an 8-foot chain link fence around the new facilities would control access to the station. All utility connections would be made to the existing station. Construction would involve the demolition of the eastern wall and expansion of the station approximately 200 feet to the east. The general layout of the proposed complex is illustrated in Figure 1-4.

An archaeological survey was conducted for this proposed project. The 100% survey resulted in the discovery of no archaeological sites and there were no existing sites within the proposed project area. If you require any additional information at this time please contact Ms. Patience Patterson of my staff at (817) 978-6390.

Sincerely,



Gordon M. Wells
Colonel, Corps of Engineers
District Engineer

Enclosures



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

REPLY TO
ATTENTION OF

February 2, 2001

Planning, Environmental and Regulatory Division

**SUBJECT: Proposed Immigration & Naturalization Service (INS) Ajo U.S. Border
Patrol Station Expansion Activities in Why, Arizona**

Honorable Donald R. Antone, Governor
Gila River Indian Community Council
P.O. Box 97
Sacaton, AZ 85247

Dear Governor Antone:

The U.S. Army Corps of Engineers, Fort Worth District, is preparing a Draft Environmental Assessment (EA) for proposed expansion activities at the Ajo US Border Patrol Station at Why, Arizona. The EA will address impacts specifically associated with the activities of the proposed project.

In accordance with federal laws and regulations in conducting these investigations, we wish to consult with the appropriate federally recognized Native American tribes who historically used this region or continue to use the area. We welcome your comments on this undertaking and look forward to hearing from you.

The proposed project area is located immediately adjacent to the existing Ajo Station within Why in Pima County, Arizona, and is situated 300 feet east of Highway 85 and approximately 28 miles north of the US/Mexico border. The proposed site includes a 0.92-acre area immediately adjacent to the eastern wall of the existing USBP station. This area consists of disturbed land that was previously used as a corral for USBP horses and contains scattered scrub/shrub vegetation and a small ephemeral drainage that transects the property from southeast to northwest (Figure 1-3). The site is relatively flat.

With project implementation, the proposed location would require paving to accommodate parking for government and private vehicles and the addition of several new buildings. The addition of an 8-foot chain link fence around the new facilities would control access to the station. All utility connections would be made to the existing station. Construction would involve the demolition of the eastern wall and expansion of the station approximately 200 feet to the east. The general layout of the proposed complex is illustrated in Figure 1-4.

An archaeological survey was conducted for this proposed project. The 100% survey resulted in the discovery of no archaeological sites and there were no existing sites within the proposed project area. If you require any additional information at this time please contact Ms. Patience Patterson of my staff at (817) 978-6390.

Sincerely,



Gordon M. Wells
Colonel, Corps of Engineers
District Engineer

Enclosures



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

REPLY TO
ATTENTION OF

February 2, 2001

Planning, Environmental and Regulatory Division

**SUBJECT: Proposed Immigration & Naturalization Service (INS) Ajo U.S. Border
Patrol Station Expansion Activities in Why, Arizona**

Honorable Wayne Taylor, Jr., Chairman
Hopi Tribal Council
P.O. Box 123
Kykotsmovi, AZ 86039

Dear Chairman Taylor:

The U.S. Army Corps of Engineers, Fort Worth District, is preparing a Draft Environmental Assessment (EA) for proposed expansion activities at the Ajo US Border Patrol Station at Why, Arizona. The EA will address impacts specifically associated with the activities of the proposed project.

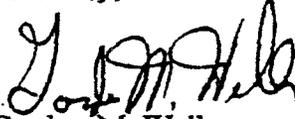
In accordance with federal laws and regulations in conducting these investigations, we wish to consult with the appropriate federally recognized Native American tribes who historically used this region or continue to use the area. We welcome your comments on this undertaking and look forward to hearing from you.

The proposed project area is located immediately adjacent to the existing Ajo Station within Why in Pima County, Arizona, and is situated 300 feet east of Highway 85 and approximately 28 miles north of the US/Mexico border. The proposed site includes a 0.92-acre area immediately adjacent to the eastern wall of the existing USBP station. This area consists of disturbed land that was previously used as a corral for USBP horses and contains scattered scrub/shrub vegetation and a small ephemeral drainage that transects the property from southeast to northwest (Figure 1-3). The site is relatively flat.

With project implementation, the proposed location would require paving to accommodate parking for government and private vehicles and the addition of several new buildings. The addition of an 8-foot chain link fence around the new facilities would control access to the station. All utility connections would be made to the existing station. Construction would involve the demolition of the eastern wall and expansion of the station approximately 200 feet to the east. The general layout of the proposed complex is illustrated in Figure 1-4.

An archaeological survey was conducted for this proposed project. The 100% survey resulted in the discovery of no archaeological sites and there were no existing sites within the proposed project area. If you require any additional information at this time please contact Ms. Patience Patterson of my staff at (817) 978-6390.

Sincerely,



Gordon M. Wells
Colonel, Corps of Engineers
District Engineer

Enclosures



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

REPLY TO
ATTENTION OF

February 2, 2001

Planning, Environmental and Regulatory Division

**SUBJECT: Proposed Immigration & Naturalization Service (INS) Ajo U.S. Border
Patrol Station Expansion Activities in Why, Arizona**

Honorable Edward Manuel, Chairman
Tohono O'odham Nation
P.O. Box 837
Sells, AZ 85634

Dear Chairman Manuel:

The U.S. Army Corps of Engineers, Fort Worth District, is preparing a Draft Environmental Assessment (EA) for proposed expansion activities at the Ajo US Border Patrol Station at Why, Arizona. The EA will address impacts specifically associated with the activities of the proposed project.

In accordance with federal laws and regulations in conducting these investigations, we wish to consult with the appropriate federally recognized Native American tribes who historically used this region or continue to use the area. We welcome your comments on this undertaking and look forward to hearing from you.

The proposed project area is located immediately adjacent to the existing Ajo Station within Why in Pima County, Arizona, and is situated 300 feet east of Highway 85 and approximately 28 miles north of the US/Mexico border. The proposed site includes a 0.92-acre area immediately adjacent to the eastern wall of the existing USBP station. This area consists of disturbed land that was previously used as a corral for USBP horses and contains scattered scrub/shrub vegetation and a small ephemeral drainage that transects the property from southeast to northwest (Figure 1-3). The site is relatively flat.

With project implementation, the proposed location would require paving to accommodate parking for government and private vehicles and the addition of several new buildings. The addition of an 8-foot chain link fence around the new facilities would control access to the station. All utility connections would be made to the existing station. Construction would involve the demolition of the eastern wall and expansion of the station approximately 200 feet to the east. The general layout of the proposed complex is illustrated in Figure 1-4.

An archaeological survey was conducted for this proposed project. The 100% survey resulted in the discovery of no archaeological sites and there were no existing sites within the proposed project area. If you require any additional information at this time please contact Ms. Patience Patterson of my staff at (817) 978-6390.

Sincerely,



Gordon M. Wells
Colonel, Corps of Engineers
District Engineer

Enclosures



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

REPLY TO
ATTENTION OF:

February 2, 2001

Planning, Environmental and Regulatory Division

**SUBJECT: Proposed Immigration & Naturalization Service (INS) Ajo U.S. Border
Patrol Station Expansion Activities in Why, Arizona**

Honorable Malcolm Bowekaty, Governor
Zuni Pueblo Tribal Council
P.O. Box 339
Zuni, NM 87327

Dear Governor Bowekaty:

The U.S. Army Corps of Engineers, Fort Worth District, is preparing a Draft Environmental Assessment (EA) for proposed expansion activities at the Ajo US Border Patrol Station at Why, Arizona. The EA will address impacts specifically associated with the activities of the proposed project.

In accordance with federal laws and regulations in conducting these investigations, we wish to consult with the appropriate federally recognized Native American tribes who historically used this region or continue to use the area. We welcome your comments on this undertaking and look forward to hearing from you.

The proposed project area is located immediately adjacent to the existing Ajo Station within Why in Pima County, Arizona, and is situated 300 feet east of Highway 85 and approximately 28 miles north of the US/Mexico border. The proposed site includes a 0.92-acre area immediately adjacent to the eastern wall of the existing USBP station. This area consists of disturbed land that was previously used as a corral for USBP horses and contains scattered scrub/shrub vegetation and a small ephemeral drainage that transects the property from southeast to northwest (Figure 1-3). The site is relatively flat.

With project implementation, the proposed location would require paving to accommodate parking for government and private vehicles and the addition of several new buildings. The addition of an 8-foot chain link fence around the new facilities would control access to the station. All utility connections would be made to the existing station. Construction would involve the demolition of the eastern wall and expansion of the station approximately 200 feet to the east. The general layout of the proposed complex is illustrated in Figure 1-4.

An archaeological survey was conducted for this proposed project. The 100% survey resulted in the discovery of no archaeological sites and there were no existing sites within the proposed project area. If you require any additional information at this time please contact Ms. Patience Patterson of my staff at (817) 978-6390.

Sincerely,



Gordon M. Wells
Colonel, Corps of Engineers
District Engineer

Enclosures



TOHONO O'ODHAM NATION
CULTURAL AFFAIRS DEPARTMENT
P.O. BOX 837 - SELLS, AZ 85634
Telephone (520) 383-3622



TECHNICAL MEMORANDUM

DATE: March 2, 2001

TO: Colonel Gordon M. Wells
U.S. Army Corps of Engineers
Department of Army, Fort Worth District
P.O. Box 17300
Fort Worth, Texas 76102-0300

FROM: Peter L. Steere, Manager
Cultural Affairs Office
Tohono O'odham Nation
P.O. Box 837
Sells, Arizona 85634

CC: Beverlene Johnson, Manager
Hia-Ced O'odham Office -
Tohono O'odham Nation
P.O. Box 837
Sells, Arizona 85634

RE: Proposed Immigration and Naturalization Service
(INS) Ajo U.S. Border Patrol Station Expansion
Activities in Why, Arizona.

Thank you for the opportunity to comment on the proposed expansion of the INS Border Patrol Station in Why, Arizona.

You indicated that an archaeological survey was completed of the proposed project area and that no cultural sites were located. Please send a copy of this report to my office for review.

The Hia-Ced O'odham Office of the Tohono O'odham Nation needs to be consulted regarding any cultural sites in the project area that may be significant to the Hia-Ced O'odham

Please send a copy of your letter and the archaeology report to:
Beverlene Johnson, Manager, Hia-Ced O'odham Office
Tohono O'odham Nation, P.O. Box 837, Sells, Arizona.



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

REPLY TO
 ATTENTION OF

February 2, 2001



Planning, Environmental and Regulatory Division

S.H.P.O.- 2001 -325 (4989)

SUBJECT: Proposed Immigration & Naturalization Service (INS) Ajo U.S. Border
 Patrol Station Expansion Activities in Why, Arizona

Mr. James Garrison, State Historic Preservation Officer
 ATTN: Ms. Joanne Miller
 Arizona State Parks
 1300 West Washington
 Phoenix, Arizona 85007

Dear Mr. Garrison:

The U.S. Army Corps of Engineers, Fort Worth District, is preparing a Draft Environmental Assessment (EA) for proposed expansion activities at the Ajo US Border Patrol Station at Why, Arizona. The EA will address impacts specifically associated with the activities of the proposed project.

The proposed project area is located immediately adjacent to the existing Ajo Station within Why in Pima County, Arizona, and is situated 300 feet east of Highway 85 and approximately 28 miles north of the US/Mexico border. The proposed site includes a 0.92-acre area immediately adjacent to the eastern wall of the existing USBP station. This area consists of disturbed land that was previously used as a corral for USBP horses and contains scattered scrub/shrub vegetation and a small ephemeral drainage that transects the property from southeast to northwest (Figure 1-3). The site is relatively flat.

With project implementation, the proposed location would require paving to accommodate parking for government and private vehicles and the addition of several new buildings. The addition of an 8-foot chain link fence around the new facilities would control access to the station. All utility connections would be made to the existing station. Construction would involve the demolition of the eastern wall and expansion of the station approximately 200 feet to the east. The general layout of the proposed complex is illustrated in Figure 1-4.

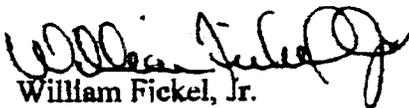
We are contacting your office to advise you of the proposed project. An archaeological survey was conducted for this proposed project. The 100% survey

resulted in the discovery of no archaeological sites. A copy of that report is enclosed for your review and records.

Given the enclosed information, we therefore request in accordance with 36 CFR Part 800.4(d) your concurrence in our finding of no historic properties affected.

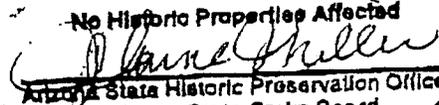
If you require any additional information at this time please contact Ms. Patience Patterson of my staff at (817) 978-6390.

Sincerely,



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

Enclosures

for 
No Historic Properties Affected
Arizona State Historic Preservation Officer
Arizona State Parks Board
for SAPO
March 6, 2001

APPENDIX D
PROOFS OF PUBLICATION AND
COMMENTS ON THE DRAFT EA



STAR PUBLISHING COMPANY

Tucson, Arizona

STATE OF ARIZONA)
COUNTY OF PIMA)

Janice Anderson, being first duly sworn deposes and says: that she is the Legal Advertising Representative of the STAR PUBLISHING COMPANY, a corporation organized and existing under the laws of the State of Arizona, and that the said STAR PUBLISHING COMPANY prints and publishes The Arizona Daily Star, a daily newspaper printed and published in the City of Tucson, Pima County, State of Arizona, and having a general circulation in said City, County, State and elsewhere, and that the attached

Legal Notice

was printed and published correctly in the entire issue of the said The Arizona Daily Star on each of the following dates, to-wit:

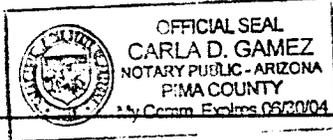
March 11 and 12, 2001

Janice Anderson

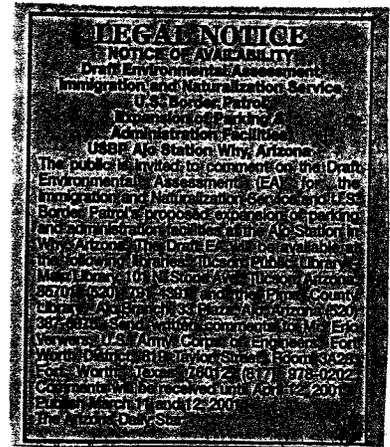
Subscribed and sworn to before me this 13th day of March, 2001

Carla Gamez
Notary Public

My commission expires _____



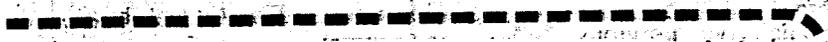
TNI AD NO. 231312



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Notice of Availability
Draft Environmental Assessment
Immigration and Naturalization Service
U.S. Border Patrol
Expansion of Parking & Administration Facilities
USBP Ajo Station, Why, Arizona

The public is invited to comment on the Draft Environmental Assessment (EA) for the Immigration and Naturalization Service and U. S. Border Patrol's proposed expansion of parking and administration facilities at the Ajo Station in Why, Arizona. The Draft EA will be available at the following libraries: Tucson Public Library - Main Library, 101 N. Stone Ave., Tucson, Arizona, 85701 (520) 791-4391 and the Pima County Library - Ajo Branch, 33 Plaza, Ajo, Arizona (520) 387-6075. Send written comments to Mr. Eric Verwers, U. S. Army Corps of Engineers, Fort Worth District, 819 Taylor Street, Room 3A28, Fort Worth, Texas 76012 (817) 978-0202. Comments will be received until April 12, 2001.



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Notice of Availability Draft Environmental Assessment

Immigration and Naturalization Service

U.S. Border Patrol

Expansion of Parking & Administration Facilities

USBP Ajo Station, Why, Arizona

The public is invited to comment on the Draft Environmental Assessment (EA) for the Immigration and Naturalization Service and U.S. Border Patrol's proposed expansion of parking and administration facilities at the Ajo Station in Why, Arizona. The Draft EA will be available at the following libraries: Tucson Public Library - Main Library, 101 N. Stone Ave., Tucson, Arizona 85701 (520) 791-4391 and the Pima County Library - Ajo Branch, 33 Plaza, Ajo, Arizona (520) 387-6075. Send written comments to Mr. Eric Verwers, U.S. Army Corps of Engineers, Fort Worth District, 819 Taylor Street, Room 3A28, Fort Worth, Texas 76012 (817) 978-0202. Comments will be received until April 12, 2001.



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

2221 WEST GREENWAY ROAD, PHOENIX, AZ 85023-4399
 (602) 942-3000 • WWW.AZGFD.COM

Yuma Office, 9140 E 28th Street, Yuma, AZ 85365-3596 (520) 342-0091

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DIRECTOR
 DUANE L. SHROUFE
DEPUTY DIRECTOR
 STEVE K. FERRELL



March 13, 2001

Eric Verwers
 U.S. Army Corps of Engineers
 Fort Worth District
 819 Taylor Street
 Room 3A28
 Fort Worth, Texas 76012

Re: Draft Environmental Assessment For Proposed Expansion of the Ajo U.S. Border Patrol Station, Pima County

Dear Mr. Verwers:

The Arizona Game and Fish Department (Department) has reviewed your letter dated February 23, 2001 requesting comments on the above-referenced Draft Environmental Assessment (DEA). The following comments are provided for your consideration.

The Department's Heritage Data Management System has been accessed and current records show that the special status species listed below have been documented as occurring in the project vicinity.

<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>	<u>STATUS</u>
Maricopa leafnose snake	<i>Phyllorhynchus browni lucidus</i>	S ¹
organ pipe cactus	<i>Stenocereus thurberi</i>	SR
organ pipe shovelnose snake	<i>Chionactis palarostris organica</i>	S ¹
Sonoran desert tortoise	<i>Gopherus agassizii</i>	SC, WC
Tumamoc globeberry	<i>Tumamoca macdougallii</i>	S ¹ , S ² , SR

STATUS DEFINITIONS

SC - **Species of Concern.** The terms "Species of Concern" or "Species at Risk" should be considered as terms-of-art that describe the entire realm of taxa whose conservation status may be of concern to the US Fish and Wildlife Service, but neither term has official status (currently all former C2 species).

Eric Verwers
March 13, 2001
2

- WC - Wildlife of Special Concern in Arizona.** Species whose occurrence in Arizona is or may be in jeopardy, or with known or perceived threats or population declines, as described by the Department's listing of **Wildlife of Special Concern in Arizona** (WSCA, in prep.). Species included in WSCA are currently the same as those in **Threatened Native Wildlife in Arizona** (1988).
- S¹ - Sensitive.** Species classified as "sensitive" by the Regional Forester when occurring on lands managed by the U.S.D.A. Forest Service.
- S² - Sensitive.** Those taxa occurring on Bureau of Land Management (BLM) Field Office Lands in Arizona which are considered "sensitive" by the Arizona State Office of the BLM.
- SR - Salvage Restricted.** Those Arizona native plants not included in the Highly Safeguarded Category, but that have a high potential for theft or vandalism, as described by the Arizona Native Plant Law (1993).

The Department understands that this proposed project involves the expansion of the U.S. Border Patrol (USBP) Ajo Station located in Why, Arizona. The expansion includes covered and uncovered parking, support facilities, an office building, locker rooms and a perimeter security fence. The Department notes that the expansion will cover 0.92 acres of land and is immediately adjacent to the existing Ajo Station. We further note that USBP will comply with Arizona Department of Environment Quality and Army Corps of Engineers Clean Water Act Section 404 Nationwide Permit 39 stipulations and Arizona Department of Agriculture requirements for plants protected under the Native Plant Law. For these reasons, the Department does not anticipate any significant adverse impacts to the special status species listed above, or other wildlife species, resulting from this proposed project.

The Sonoran desert tortoise has been documented in the vicinity of the proposed project area. A copy of the Department's guidelines for handling Sonoran desert tortoises is enclosed for your reference. This information should be considered during the planning, design and implementation processes associated with this project. If any desert tortoises are encountered during the project, we request that these guidelines be followed.

The Department notes that this project is within Zone 2 of the U.S. Fish and Wildlife Service Revised Cactus Ferruginous Pygmy-Owl Survey Protocol (revised January 26, 2000). The Department recommends contacting U.S. Fish and Wildlife Service, at the address provided below, for information on survey requirements for this project.

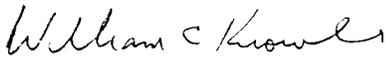
Mike Wrigley
Arizona Ecological Services State Office
U.S. Fish and Wildlife Service

Eric Verwers
March 13, 2001
3

2321 West Royal Palm Road, Suite 103
Phoenix, Arizona 85021-4951
Phone: 602-640-2720
e-mail: mike_wrigley@fws.gov

Thank you for the opportunity to review and comment on this proposed project. If you have any questions, please contact me at 520-342-0091.

Sincerely,



William C. Knowles
Habitat Specialist
Region IV, Yuma

Enclosure

cc: Russell Engel, Habitat Program Manager, Region IV
Larry Voyles, Regional Supervisor, Region IV
Bob Broscheid, Proj. Eval. Prog. Supervisor, Habitat Branch
Mike Wrigley, Biologist, Endangered Species, USFWS

AGFD # 02-27-01 (01)

GUIDELINES FOR HANDLING SONORAN DESERT TORTOISES
ENCOUNTERED ON DEVELOPMENT PROJECTS

Arizona Game and Fish Department

Revised January 17, 1997

The Arizona Game and Fish Department (Department) has developed the following guidelines to reduce potential impacts to desert tortoises, and to promote the continued existence of tortoises throughout the state. These guidelines apply to short-term and/or small-scale projects, depending on the number of affected tortoises and specific type of project.

Desert tortoises of the Sonoran population are those occurring south and east of the Colorado River. Tortoises encountered in the open should be moved out of harm's way to adjacent appropriate habitat. If an occupied burrow is determined to be in jeopardy of destruction, the tortoise should be relocated to the nearest appropriate alternate burrow or other appropriate shelter, as determined by a qualified biologist. Tortoises should be moved less than 48 hours in advance of the habitat disturbance so they do not return to the area in the interim. Tortoises should be moved quickly, kept in an upright position at all times and placed in the shade. Separate disposable gloves should be worn for each tortoise handled to avoid potential transfer of disease between tortoises. Tortoises must not be moved if the ambient air temperature exceeds 105 degrees fahrenheit unless an alternate burrow is available or the tortoise is in imminent danger.

A tortoise may be moved up to two miles, but no further than necessary from its original location. If a release site, or alternate burrow, is unavailable within this distance, and ambient air temperature exceeds 105 degrees fahrenheit, the Department should be contacted to place the tortoise into a Department-regulated desert tortoise adoption program. Tortoises salvaged from projects which result in substantial permanent habitat loss (e.g. housing and highway projects), or those requiring removal during long-term (longer than one week) construction projects, will also be placed in desert tortoise adoption programs. *Managers of projects likely to affect desert tortoises should obtain a scientific collecting permit from the Department to facilitate temporary possession of tortoises.* Likewise, if large numbers of tortoises (>5) are expected to be displaced by a project, the project manager should contact the Department for guidance and/or assistance.

Please keep in mind the following points:

- These guidelines do not apply to the Mohave population of desert tortoises (north and west of the Colorado River). Mohave desert tortoises are specifically protected under the Endangered Species Act, as administered by the U.S. Fish and Wildlife Service.
- These guidelines are subject to revision at the discretion of the Department. We recommend that the Department be contacted during the planning stages of any project that may affect desert tortoises.
- Take, possession, or harassment of wild desert tortoises is prohibited by state law. Unless specifically authorized by the Department, or as noted above, project personnel should avoid disturbing any tortoise.

JANE DEE HULL
Governor



SHELDON R. JONES
Director

Arizona Department of Agriculture

1688 W. Adams Street, Phoenix, Arizona 85007
(602) 542-4373 FAX (602) 542-5420

March 7, 2001

Mike Schulze, Biologist
Gulf South Research Corporation
Post Office Box 83564
Baton Rouge, Louisiana 70884-3564

Re: Ajo Station Expansion EA

Dear Mr. Schulze:

Arizona State Law requires that the Arizona Department of Agriculture be notified in writing, with confirmation, prior to the anticipated destruction of any protected native plants during land clearing activity. On privately owned land the notification period ranges from 20 days to 60 days. The notification period on state lands is 60 days.

The protection and salvage of protected native plants is encouraged to the greatest extent feasible. You may want to consider having the project site surveyed for protected native plants.

Plant transportation permitting and tagging are required prior to the removal of protected native plants from a property. Transportation permitting is not required when the plants are being relocated on the same property.

Mining, commercial farming and stock raising operations are exempted from the notification requirement when clearing less than a quarter of an acre of state land, and when the land clearing occurs in the normal course of work related operations.

Copies of permit application forms, notification forms, and *Appendix A*, the listings of protected native plants by category; as well as, general information on protected native plants can be obtained at: <http://agriculture.state.az.us/PSD/nativeplants.htm>.

You can correspond with me at the address listed below. You may also contact me by telephone at: 520-628-6310, by FAX at 520-628-6961, or by email at: bill.kendall@agric.state.az.us

Sincerely Yours,

A handwritten signature in black ink, appearing to be "B. Kendall", written in a cursive style.

William T. Kendall, Special Investigator #187
Office of Review and Investigations

Arizona Department of Agriculture
400 West Congress Street, Suite #124, Box #4
Tucson, Arizona 85701-1311

ARIZONA DEPARTMENT OF AGRICULTURE NOTICE OF INTENT TO CLEAR LAND

RECEIVED

FEB 21 2001

BY:

Pursuant to A.R.S. § 3-904 the undersigned, as Owner of the Property described herein, gives this Notice of Intent to Clear Land of protected native plants.

1. **OWNER/LANDOWNER'S AGENT.** The owner or landowner's agent of the Property upon which protected native plants will be affected:

Owner's Name I.N.S. Phone

Address P.O. Box 279 Ajo Ar 85321
Street City State Zip

Agent's Name Josh McEnany Phone 225-757-8080

Address 7602 G.S.R.I. Ave., Baton Rouge La 70820
Street City State Zip

2. **PROPERTY.** The description and location of the Property upon which protected native plants will be affected:

Name of Property/Project Parking Lot - Border Patrol Station

Address 850 N. Tucson, Ajo Hwy 86 Wby AZ 85321

Physical Location (attach map)
(Note: Map must also show surrounding land for 1/2 mile in each direction)

Tax Parcel ID Nos. Federal Property - Not Available

Legal Description (or attach copy)

Number of Acres to be Cleared 0.92 A

CONFIRMED

FEB 21 2001

ARIZONA DEPARTMENT OF AGRICULTURE

3. **OWNER'S INTENT.** Landowner's intentions when clearing private land of protected native plants.

- Owner intends to allow salvage of the plants, and agrees to be contacted by native plant salvagers.
- Owner intends to transplant the plants onto the same property, or to another property he also owns.
- Owner has already arranged for salvage of the plants.
- Owner does not intend to allow salvage of the plants.
- Other:

4. **APPROXIMATE STARTING DATE.** April 23, 2001

Info. Taken by phone (See notice period listed on reverse side)

Michael Reimer #189
Signature

02/21/01
Date

NOTICE TO SALVAGERS: CONSENT OF THE LANDOWNER IS REQUIRED BEFORE ENTERING ANY LANDS DESCRIBED IN THIS NOTICE.



United States
Department of
Agriculture

Natural
Resources
Conservation
Service

3003 N. Central Ave.
Suite 800
Phoenix, AZ
85012-2495

Mr. Mike Schulze
Biologist
Gulf South Research Corporation
PO Box 83564
Baton Rouge, Louisiana 70884-3564

March 9, 2001

Dear Mr. Schulze:

This response is in regard to your letter of February 23, 2001 concerning the Draft Environmental Assessment for the proposed expansion of the Ajo US Border Patrol Station near Why, Arizona.

The Natural Resources Conservation Service (NRCS) has general responsibility, nationwide, for implementing the Farmland Protection Policy Act (FPPA) and to review projects that may affect prime, unique, statewide or locally important farmland and/or wetlands associated with agriculture. After reviewing the information provided, the following is noted:

- 1- The proposed new project if implemented as planned, is exempt from the requirements of the FPPA - as revised in 1994, that excludes land which is already in or is committed to urban development, currently used as water storage, or **land that is not prime or unique farmland.**
- 2- We do not see any immediate concerns or impacts that would directly affect wetland areas associated with agriculture.

Should you have questions, please feel free contact Jeff Schmidt, Community Assistance Coordinator at 602.280.8818. Thank you again for the chance to review the proposed project.

Sincerely,

MICHAEL SOMERVILLE
State Conservationist

cc:

Jim Briggs, Assistant State Conservationist, NRCS, Phoenix, Arizona
Ralph Ware, District Conservationist, NRCS, Tucson, Arizona
Jeff Schmidt, Community Assistance Coordinator, NRCS, Phoenix, Arizona

Ajo, Arizona.
March 19, 2001.

Mr. Eric Verwers,
Dear Sir:

I am writing to say the U.S. Border Patrol needs to expand their parking facilities in Why, Arizona.

They are a VERY busy group of people. They need a LOT of vehicles to cover the many miles they have to look after. We are so fortunate to have them here.

I hope they will get more parking space.

Sincerely,

Mrs. Shewfelt
1101 Rocalla Av.
Ajo, Arizona.

85321-2311

P. S. Also more administration facilities

Mr. Robert Ertmann
630 Ironwood
P. O. Box 875
Why, AZ 85321

April 6, 2001

Mr. Eric Verwers
U. S. Army Corps of Engineers
Fort Worth District
819 Taylor Street, Room 3A28
Fort Worth, Texas 76012

Dear Mr. Verwers,

I am writing on behalf of my neighbors, and me. Pozo Redondo is adjacent to the Ajo Border Patrol Compound, in Why, AZ. We have studied the proposed plan for the new additional parking facility and realize that the noise pollution created by the helicopters and loud speakers, the additional lighting and traffic will be directly across from residential homes. Currently there is an enormous amount of traffic and noise coming from that facility on a twenty-four hour schedule. It seems that placing the additional parking lot on the north side of the compound would allow the residents some relief from the major amount of additional noise and traffic that will occur.

Thank you for your consideration of our request.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Ertmann', with a long horizontal line extending to the right.

Mr. Robert Ertmann
For the residents of Pozo Redondo Community

