RECORD OF DECISION

FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE EXPANSION AND MODERNIZATION OF THE RAUL HECTOR CASTRO LAND PORT OF ENTRY AND PROPOSED COMMERCIAL LAND PORT OF ENTRY IN DOUGLAS, ARIZONA

ACTION

The U.S. General Services Administration (GSA) has published a Final Environmental Impact Statement (EIS) for the Expansion and Modernization of the Raul Hector Castro (RHC) Land Port of Entry (LPOE) and Proposed Commercial LPOE in Douglas, Arizona. This Record of Decision (ROD) documents the specific components and rationale for GSA's decision. This decision is based on the Final EIS issued in April 2024; associated technical reports; comments from federal and state agencies, stakeholders, members of the public, and elected officials; and miscellaneous resources contained in the administrative record. In accordance with the provisions outlined in the Final EIS, GSA approves the preferred alternative, identified in the Final EIS as Alternative 2 (Concurrent Construction – Westward Expansion), which would involve construction of a new Commercial LPOE and phased expansion and modernization of the existing RHC LPOE at the same time, with expansion primarily to the west of the existing RHC LPOE. GSA also approves sub-alternative 2d (combination of adaptive reuse, relocation, and demolition), identified as the preferred alternative for the management of historic structures at the RHC LPOE, pending finalization of consultation with the State Historic Preservation Office (SHPO) and consulting parties as required under Section 106 of the National Historic Preservation Act (NHPA). Alternative 1 (Sequential Construction) has been identified as the environmentally preferred alternative. The Final EIS is available at the following websites:

- https://www.gsa.gov/about-us/gsa-regions/region-9-pacific-rim/land-ports-of-entry/raul-hector-castro-land-port-of-entry
- https://www.gsa.gov/about-us/gsa-regions/region-9-pacific-rim/land-ports-of-entry/douglas-commercial-land-port-of-entry.

PURPOSE AND NEED FOR THE PROJECT

The RHC LPOE is located in Douglas, Arizona, in the southeastern corner of the state, within Cochise County. The existing port is located on approximately 6 acres with facilities owned and managed by GSA and operated by the U.S. Department of Homeland Security's Customs and Border Protection (CBP). The RHC LPOE has been operating since 1914, while the construction of the current facility began in the 1930s. The RHC LPOE consists of multiple buildings and structures and paved lots, including the historic Main Building and Garage. The last facility renovations took place in 1993, which included construction of the commercial building and docks. Existing facilities are undersized, at the end of their functional lives, and no longer meet CBP's mission requirements.

GSA is considering acquiring land adjacent to the RHC LPOE to support expansion and has identified a separate site for the location of a proposed Commercial LPOE. The planned site for the proposed Commercial LPOE is approximately 5 miles west of the existing RHC LPOE, located off James Ranch Road. The proposed site is undeveloped; the only major infrastructure nearby consists of a U.S. Border Patrol Station built in 2003.

The purpose of this project is for GSA to support CBP's mission by bringing the RHC LPOE operations in line with current land port design standards and operational requirements of CBP while addressing existing deficiencies identified with the ongoing port operations.

In order to bring the RHC LPOE operations in line with CBP's design standards and operational requirements, the project is needed to:

- Improve the capacity and functionality of the LPOE to meet future demand, while maintaining the capability to meet border security initiatives;
- Ensure the safety and security for the employees and users of the RHC LPOE; and
- Reduce traffic congestion and increase safety for the City of Douglas.

Project Alternatives Evaluated in the Final EIS

GSA is proposing a two-port solution that would separate the processing of commercial and non-commercial traffic to alleviate the inadequacies of the existing RHC LPOE. This Proposed Action would consist of two main components:

1) **Construction of a new Commercial LPOE –** A new, dedicated LPOE would be constructed to process only commercially owned vehicles (COVs). The proposed Commercial LPOE site is located 5 miles west of the RHC LPOE; and

2) **Expansion and Modernization of the Existing RHC LPOE to a Non-Commercial LPOE –** The existing RHC LPOE would be expanded and modernized. The expanded and modernized facility would be dedicated to processing only privately owned vehicles (POVs) (i.e., cars, vans, and buses) and pedestrians.

The Final EIS analyzed three action alternatives. Alternative 1 would involve sequential construction – construction of the new Commercial LPOE first, then phased-construction at the existing RHC LPOE. Alternatives 2 and 3 would involve concurrent construction – construction of the new Commercial LPOE and phased-construction at the existing RHC LPOE at the same time. All three alternatives would require the acquisition of land near the RHC LPOE and involve phased construction; however, Alternatives 2 and 3 would require additional land acquisition to allow for expansion and modernization activities to occur while the existing port remains operational.

Additionally, GSA evaluated sub-alternatives to manage the historic Main Building and Garage. These historic structures, which were constructed in 1933, are listed on the National Register of Historic Places (NRHP). Due to the historic designation, any renovation work to the original buildings would require compliance with the NHPA and the U.S. Secretary of the Interior's *Standards for Rehabilitation*.

Alternative 1 – Sequential Construction

Commercial LPOE

Under Alternative 1, the first stage would be to construct a new Commercial LPOE at a mostly undeveloped, vacant site. The total area of the proposed Commercial LPOE site is approximately 106 acres. Of the 106 acres, 80.5 acres of the Commercial LPOE site is currently owned by the City of Douglas; however, the property would be transferred from the city to GSA prior to the implementation of Alternative 1. The remaining 26 acres is owned by the Bureau of Land Management (BLM) and located adjacent to the U.S.-Mexico border; this area would remain in federal ownership but would be redesignated as GSA property in coordination with BLM.

Under Alternative 1, construction of the proposed Commercial LPOE is estimated to begin in 2025. Construction would be expected to take place over an approximate 36- to 42-month period. Peak construction (up to 2 years) would require a potential maximum of 150 construction workers; non-peak construction would require approximately 50 construction workers. For operations, it is expected CBP would hire for approximately 100 positions to support the proposed Commercial LPOE.

Under a separate project, the Arizona Department of Transportation would improve (i.e., widen and resurface) and extend James Ranch Road and/or construct a new connector road to the project area. Additionally, Cochise County is planning to construct new utility lines near the proposed Commercial LPOE site, also under a separate project. These projects are not affiliated with GSA's Proposed Action but are being planned to support regional future development efforts, such as the proposed Commercial LPOE.

RHC LPOE

Under Alternative 1, expansion and modernization of the existing RHC LPOE would begin after the proposed Commercial LPOE is complete and all commercial operations at the existing RHC LPOE are transferred to the new facility. To the extent practicable, Alternative 1 would be implemented using a phased-construction approach to alleviate potential disruptions at the existing RHC LPOE. The expansion area for Alternative 1 encompasses 4.3 acres of primarily developed area, comprising a small city park, commercial facilities (including a duty-free store), and a Federal Motor Carrier Safety Administration facility. The existing facilities would be demolished and new facilities would be constructed. The expansion area also includes a segment of Customs Avenue between Pan American Avenue and 1st Street that would be permanently closed. Following expansion and modernization, the existing RHC LPOE would be dedicated to processing only non-commercial vehicles (cars, vans, and buses) and pedestrians.

Construction at the RHC LPOE is estimated to begin in 2027 or 2028, depending on completion of the Commercial LPOE. Construction would be expected to take place over an approximate 36- to 42-month period. Peak construction (up to 2 years) would require a potential maximum of 150 construction workers; non-peak construction would require approximately 50 construction workers. For operations, it is expected CBP would hire for approximately 50 additional positions to support the expanded and modernized RHC LPOE.

Alternatives 1a – 1d: Reuse, Relocate, or Demolish Historic Structures

Because the existing historic Main Building and Garage are listed on the NRHP, any modifications or potential demolition associated with the historic Main Building and Garage would be required to follow GSA's *Procedures for Historic Properties*. Any changes to the buildings would also follow the Secretary of the Interior's *Standards for the Treatment of Historic Properties* and applicable guidelines.

GSA would manage the historic structures through one of the following sub-alternatives, pending the outcome of ongoing Section 106 consultation with the SHPO and consulting parties. GSA would consult with the SHPO and additional consulting parties to develop an agreement document and appropriate mitigation measures as applicable.

- **Alternative 1a: Adaptive Reuse of Historic Structures –** Under this sub-alternative, the historic Main Building and Garage would be carefully integrated into the modernization plans of the RHC LPOE and repurposed into a more current and useful structure. Any remodeling or renovation work would be done in a manner that preserves the cultural and historic significance of these structures.
- **Alternative 1b: Relocation of Historic Structures –** Under this sub-alternative, the historic Main Building and Garage would be relocated to another location. Relocating these structures would most likely require lifting the whole structure intact and transporting it to a new location.
- **Alternative 1c: Demolition of Historic Structures –** Under this sub-alternative, the historic Main Building and Garage would be demolished during the modernization of the RHC LPOE.
- **Alternative 1d: Combination of Alternative 1a through 1c –** Under this sub-alternative, some combination of adaptive reuse, relocation, or demolition would be selected for the historic Main Building and Garage.

Preferred Alternative: Alternative 2 – Concurrent Construction (Westward Expansion)

Under Alternative 2, GSA proposes to construct the commercial and non-commercial facilities concurrently to expedite construction for the purpose of achieving cost and time efficiencies. The RHC LPOE would continue to operate as usual – including the processing of COVs – while construction activities for the proposed Commercial LPOE and for the expansion and modernization of the RHC LPOE would occur at the same time. As under Alternative 1, a phased-construction plan would be implemented. Because the existing RHC LPOE has limited opportunity for expansion within its current footprint, the expansion area for Alternative 2 includes acquisition of up to approximately 12.6 acres of adjacent land west of the RHC LPOE, in addition to the 4.3-acre expansion area identified under Alternative 1, to facilitate concurrent construction. GSA may also consider acquiring temporary easements from the city for construction laydown areas for portions of this expansion area. The additional area proposed for acquisition is primarily undeveloped land owned by a combination of other federal landowners, the City of Douglas, and private owners; it also includes roadways owned by the City of Douglas or State of Arizona.

Under Alternative 2, construction of the proposed Commercial LPOE and at the RHC LPOE is estimated to begin in 2025. Construction would be expected to take place over an approximate 64- to 70-month period. Peak construction (up to 40 months) would require a potential maximum of 150 construction workers at each location (i.e., a total of 300 construction workers at any given time during peak construction); non-peak construction would require approximately 50 construction workers at each location or a total of 100 construction workers total at both locations.

Alternatives 2a – 2d: Reuse, Relocate, or Demolish Historic Structures

Management of the historic Main Building and Garage would be handled the same as the sub-alternatives described under Alternatives 1a through 1d.

Alternative 3 – Concurrent Construction (Eastward Expansion)

Under Alternative 3, similar to Alternative 2, GSA proposes to construct the commercial and non-commercial facilities concurrently to achieve cost and time efficiencies. As in the case of Alternative 2, the RHC LPOE would continue to operate during expansion and modernization, and the new Commercial LPOE would be constructed concurrently at the same location as in Alternative 1. A phased-construction plan would also be implemented similar to Alternatives 1 and 2. However, the additional expansion area for Alternative 3 would be acquired adjacent to the east of the RHC LPOE instead of the west. Similar to Alternative 2, the additional expansion area for Alternative 3 would be acquired because of the limited opportunity for expansion within the current RHC LPOE footprint. The expansion area for Alternative 3 includes approximately 4.4 acres of adjacent land east of the RHC LPOE, which would be acquired in addition to the 4.3-acre expansion area identified under Alternative 1. The additional area proposed for acquisition consists of privately owned parcels of commercially-zoned land that are currently developed with buildings and structures that would be demolished, including at least one active business and three residential occupants. The expansion area also includes the segment of Customs Avenue south of 1st Street and International Avenue that would be permanently closed.

The construction timeframe under Alternative 3 would be the same as Alternative 2. Construction is estimated to begin in 2025. Construction would be expected to take place over an approximate 64- to 70-month period. Peak construction (up to 40 months) would require a potential maximum of 150 construction workers at each location (total of 300 construction workers during peak construction); non-peak construction would require approximately 50 construction workers at each location (total of 100 construction workers).

Alternatives 3a – 3d: Reuse, Relocate, or Demolish Historic Structures

Management of the historic Main Building and Garage would be handled the same as the sub-alternatives described under Alternatives 1a through 1d.

No Action Alternative

Under the No Action Alternative, there would be no construction of a new Commercial LPOE, and expansion and modernization of the RHC LPOE would not occur. Any type of modification to the existing port would be limited to minor repairs and maintenance, as needed. The operation of the RHC LPOE would generally remain as it currently does, but the capacity and efficiency of the port would likely degrade over time due to increased traffic demand. In general, this alternative would not meet the Purpose and Need of the Proposed Action.

Environmental Consequences

Resources analyzed in the EIS included cultural resources; air quality and greenhouse gas emissions; land use and visual resources; geology and soils; water resources; biological resources; transportation and traffic; noise; infrastructure and utilities; socioeconomics; environmental justice and protection of children's health and safety; and human health and safety. For all action alternatives, impacts were assessed in the context of constructing a new Commercial LPOE and expanding and modernizing the existing RHC LPOE into a non-commercial LPOE, under different construction schedules and/or land acquisition scenarios as described above for each alternative. Cumulative impacts were also considered.

Impacts at the proposed Commercial LPOE would generally be the same under all action alternatives, except for the following resource areas: air quality, traffic, infrastructure and utilities, socioeconomics, environmental justice, and health and safety; these resources would experience higher levels of intensity and/or extent of impacts under Alternatives 2 and 3 due to construction activities occurring at the same time, at both project locations, though under a shorter overall construction timeframe. The majority of adverse impacts would range from minor to moderate; however, direct, significant adverse impacts under NEPA could occur to cultural resources if unanticipated discoveries are encountered during ground-disturbing activities. Impact reduction measures would mitigate any potential adverse effects and reduce impacts on cultural resources to less-than-significant levels. Further impacts to historic structures are discussed below for sub-alternatives a – d. Mitigation measures to reduce impacts are described in this ROD under *Avoidance, Minimization and Mitigation Measures*. Under the action alternatives, long-term, beneficial impacts would occur for air quality, land use, biological resources, traffic, noise, infrastructure and utilities, socioeconomics, environmental justice, and human health and safety.

Regarding historic structures, GSA determined existing buildings located in the RHC LPOE expansion areas for each action alternative as not eligible for inclusion in NRHP; SHPO concurred with GSA's determination. For each of the following sub-alternative to manage the existing historic Main Building and Garage, the following impacts would occur:

- Alternative 1a, 2a, 3a – no adverse effects under NHPA and direct, negligible, adverse impacts under NEPA.

- Alternative 1b, 2b, 3b – adverse effects under NHPA and direct, significant, adverse, and permanent impacts under NEPA.

- Alternative 1c, 2c, 3c – adverse effects under NHPA and direct, significant, adverse, and permanent impacts under NEPA.

- Alternative 1d, 2d, 3d – adverse effects under NHPA and direct, minor to significant, adverse, and permanent impacts under NEPA.

For sub-alternatives 1b, 2b, 3b, 1c, 2c, 3c, 1d, 2d, and 3d GSA would be required to develop measures to avoid, minimize, or mitigate adverse effects on these historic properties, which would result in less-than-significant impacts under NEPA and would resolve effects under NHPA.

GSA is consulting with the Arizona SHPO regarding the determinations of eligibility for historic properties in the Area of Potential Effect. GSA conducted a cultural survey in March 2024 for an expanded area of the proposed Commercial LPOE site that required revision of the Cultural Resources Memo containing determinations of eligibility on historic properties that received SHPO concurrence on October 17, 2023. GSA will continue consultation with the Arizona SHPO, including seeking concurrence on the determinations of eligibility for historic properties in the revised Cultural Resources Memo for the expanded area of the proposed Commercial LPOE site and GSA's assessment of effects for the Undertaking. GSA continues to explore all alternatives that avoid, minimize and mitigate potential effects to historic properties through the Section 106 process. Any final decision on the management of historic structures will be made during the continued consultation with the Arizona SHPO and consulting parties as required under Section 106 of the NHPA. Implementation of the project cannot occur until all regulatory processes are complete, including the Section 106 process.

GSA coordinated with the U.S. Fish and Wildlife Service (USFWS) per Section 7 of the Endangered Species Act to determine effects to federally protected species. The USFWS concurred with GSA's findings that the Proposed Action would not likely adversely affect federally threatened or endangered species. Correspondence with USFWS and the findings are incorporated in the Final EIS.

All action alternatives would take place within the 1-percent-annual-chance floodplain and/or 0.2-percent-annual-chance floodplain at the existing Commercial LPOE and RHC LPOE. In compliance with Executive Order 11988 (Floodplain Management), GSA prepared a floodplain assessment addressing potential impacts on floodplains, which provides a Finding of No Practicable Alternative for construction within floodplains. The floodplain assessment was provided for public review as part of the EIS documents.

For further details on the environmental consequences for each alternative, to include cumulative impacts, this ROD incorporates by reference Table 2-4 and Chapters 3 and 4 in the Final EIS.

Avoidance, Minimization, and Mitigation Measures

The following avoidance, minimization, and mitigation measures will be implemented during the phase in which the associated impact would occur. By policy, GSA has the responsibility to leverage its federal real estate actions in ways that support local community planning goals, catalyze economic development, and advance regional sustainability objectives while also meeting client agency needs, wherever possible. This derives from several laws and Executive Orders. These requirements are in addition to and have been coordinated with the local consultation required under NEPA.

Cultural Resources (Section 3.2.2.7 in the Final EIS)

To reduce the risk of damage to known and unknown archeological sites, GSA will develop an archeological monitoring plan in consultation with the SHPO, Advisory Council on Historic Preservation, federally recognized Indian tribes, and other consulting parties to reduce impacts from ground-disturbing activities.

GSA's planning with respect to compliance with historic preservation requirements is being handled through the Section 106 process under the NHPA. This process is still underway and may result in mitigation measures to address potential adverse effects to historic structures resulting from Alternative 2d that GSA will adopt. Approval of this ROD adopts any forthcoming mitigation measures that may result from the Section 106 process. Final implementation of the Project cannot occur until all regulatory processes are complete, including the Section 106 process.

Air Quality and Greenhouse Gas Emissions (Section 3.3.2.6 in the Final EIS)

Air Quality

Construction activities at the proposed Commercial LPOE and RHC LPOE would generate fugitive dust (non-toxic particulate matter) emissions. Emissions from Open Areas, Dry Washes, or Riverbeds (Title 18.2.604) requires reasonable precautions to prevent particulate matter from becoming airborne. GSA will implement measures to address fugitive dust emissions, including:

- Using water for dust control when grading roads or clearing land.
- Applying water on dirt roads, materials stockpiles, and other surfaces that could create airborne dust.
- Paving roadways and maintaining them in a clean condition.
- Covering open equipment when conveying or transporting material likely to create objectionable air pollution when airborne.
- Promptly removing spilled or tracked dirt or other materials from paved streets.

Additional measures to control fugitive dust will include the following:

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to both active and inactive sites during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour. Limit speed of earth-moving equipment to 10 miles per hour.

The following source-specific controls will be implemented to minimize emissions during construction activities:

- Reduce unnecessary idling from heavy equipment.
- Prohibit engine tampering to increase horsepower, except when meeting manufacturer's recommendations.
- To the extent practicable, lease or buy newer, cleaner equipment using the best available emissions control technologies:
    - Use lower-emitting engines and fuels, including electric, liquified gas, hydrogen fuel cells, and/or alternative diesel formulations, if feasible.
    - On-Highway Vehicles – On-highway vehicles will meet, or exceed, the U.S. Environmental Protection Agency (USEPA) exhaust emissions standards for model year 2010 and newer heavy-duty on-highway compression-ignition engines (e.g., drayage trucks, long haul trucks, refuse haulers, shuttle buses, etc.).
    - Nonroad Vehicles & Equipment – Nonroad vehicles and equipment will meet, or exceed, the USEPA Tier 4 exhaust emissions standards for heavy-duty nonroad compression-ignition engines (e.g., nonroad trucks, construction equipment, cargo handlers, etc.).

Finally, the following administrative controls will be implemented during construction:

- Coordinate with appropriate air quality agencies to identify a construction schedule that minimizes cumulative impacts from other planned projects in the region, if feasible.

- Locate diesel engines, motors, and equipment staging areas as far as possible from residential areas and other sensitive receptors (e.g., schools, daycare centers, hospitals, senior centers, etc.).
- Avoid routing truck traffic near sensitive land uses to the fullest extent feasible.
- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking.
- Reduce construction-related trips of workers and equipment, including trucks.
- Develop a construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.

Greenhouse Gases

Many of the mitigation measures for air quality identified above will also serve to reduce greenhouse gas emissions. GSA will take the following additional steps to minimize greenhouse gases:

- Design both the Commercial LPOE and the RHC LPOE to be energy-efficient facilities, including achieving a minimum of LEED Gold certification, which will reduce energy use and the associated greenhouse gas emissions.
- Construct both the Commercial LPOE and the expanded RHC LPOE to be net-zero ready, to accommodate future onsite renewable energy generation.
- Continue to evaluate options for on-site renewable energy generation (e.g., solar photovoltaic) for both the Commercial and the RHC LPOE, and install such systems if feasible and depending on funding availability.
- Use cement blended with the maximum feasible amount of fly ash or other materials that reduce greenhouse gas emissions from cement production.
- Recycle construction debris to the maximum extent feasible.

Climate Change Adaptation Measures

To minimize impacts of climate change on human health and safety, GSA will:

- Incorporate shaded areas wherever practicable, particularly along pedestrian routes through the RHC LPOE.
- Provide indoor cooling stations or waiting areas where pedestrians passing through the RHC LPOE can seek relief from heat and other adverse conditions such as poor air quality.
- Provide indoor areas where individuals can wait, if required, while they are being processed by CBP officials.
- Provide hydration stations that are readily accessible to pedestrians and individuals traveling in POVs and COVs, at both the Commercial and RHC LPOEs.
- Implement design strategies to reduce urban heat islands, including using lighter-colored pavement where feasible, planting trees, and maintaining green spaces with native vegetation.

To minimize impacts of climate change on energy resources, GSA will:

- Seek a minimum of LEED Gold certification for the proposed facilities, which will include energy conservation and efficiency measures.
- Implement measures to maximize energy efficiency where possible, such as through automated building controls and the use of energy-efficient equipment.
- Construct both the Commercial LPOE and the expanded RHC LPOE to be “net-zero” ready, to accommodate future onsite renewable energy generation.

- Evaluate options for on-site renewable energy generation (e.g., solar photovoltaic) for both the Commercial and the RHC LPOE, and install such systems if feasible and depending on funding availability.

To minimize impacts of climate change on water resources, GSA will seek a minimum of LEED Gold certification for the proposed facilities, which will incorporate water conservation and efficiency measures. GSA will implement measures to maximize water efficiency where possible, such as through xeriscaping and the use of water-efficient fixtures and appliances.

Land Use and Visual Resources (Section 3.4.2.6 in the Final EIS)

Measures to reduce construction impacts on land use-related concerns, such as fugitive dust, traffic, or noise from construction activities are identified under measures for Air Quality and Greenhouse Gas Emissions; Transportation and Traffic; and Noise.

Although local governments cannot regulate or permit activities of the federal government on federally owned land, GSA will consider local zoning laws for construction and operation of the new and modernized LPOEs and all design requirements of state and local governments to the extent practicable. This will include both the incorporation of exterior design elements to reflect the unique character of the area and the emphasis on pedestrian circulation and amenities, such as landscaped plazas and walkways, to the extent practicable and consistent with GSA design standards.

GSA will implement the following measures to minimize impacts to visual resources:

- Consult with local officials, consider local requirements for new building construction, and comply with state and local building codes to the maximum extent practicable.
- Integrate its programs of design/architecture and construction excellence into the new facility in order to optimize building performance and aesthetics, including adherence to GSA's *P100 Facilities Standards for the Public Buildings Service* which establishes design criteria and standards for new government buildings.
- Design exterior lighting to meet physical security requirements but controlled to minimize light trespass (e.g., direct light downward and minimize glare). Fixtures for the security fence will be a similar style. Exterior lighting will be consistent with the local ordinance code for outdoor lighting to the extent possible.
- Incorporate landscaping and screening (trees and vegetation) into the exterior design to provide aesthetic benefits to the surrounding community, consistent with GSA's *Urban Development/Good Neighbor Program*.

Geology and Soils (Section 3.5.2.6 in the Final EIS)

Measures to reduce construction impacts on geology and soil-related concerns such as soil erosion, loss, and stability will be addressed in project design plans and through erosion and sediment controls as well as site stabilization controls per the Arizona Stormwater Construction General Permit requirements. Refer to measures under Water Resources (below) for measures that will limit impacts from soil loss as a result of erosion during construction and operations.

Water Resources (Section 3.6.2.6 in the Final EIS)

GSA requires that new construction and substantial renovation of its facilities obtain a LEED Gold certification. The LEED certification for the project is based on an accumulation of several scored green building features that may include Water Conservation Measures, such as low-flow fixtures (interior) and installing a retention system to collect stormwater outflow for irrigation (exterior). These features potentially reduce the water supply requirements of the project and improve the surface water quality for any water that leaves the property. In addition, GSA requires a minimum Sustainable Sites Initiative

(SITES) silver rating. Regarding water, all major capital projects with a scope of site work exceeding 5,000 square feet must meet the equivalent of the following SITES certification credits:

- SITES credit 3.3, "Manage Precipitation Beyond Baseline" with the goal to capture and manage the equivalent of the 95th percentile precipitation event.
- SITES credit 3.2, "Reduce Water Use for Landscape Irrigation" with the goal of protecting and conserving water.

GSA will follow the impact reduction measures and best management practices outlined within the Arizona Stormwater Construction General Permit and the Cochise County Stormwater Ordinance (Ordinance No. 049-18). The latter requires the submittal of a post-construction stormwater management plan and an Operation and Maintenance Plan simultaneously with a Stormwater Site Plan. The Cochise County Flood Control District may require on-site stormwater retention/detention and off-site stormwater drainage.

Prior to construction GSA will coordinate with the U.S. Army Corps of Engineers (USACE) as applicable with respect to potential impacts to *waters of the U.S.*, to include conducting a jurisdictional determination, subsequent permitting or, at a minimum, a pre-construction notification.

GSA will consider local floodplain ordinance requirements and final design of LPOEs will be in accordance with Section 438 of the Energy Independence and Security Act to maintain or restore, to the maximum extent technically feasible, the predevelopment hydrology of the property with regard to the temperature, rate, volume, and duration of flow. Relevant guidance to minimize stormwater runoff impacts includes:

- USEPA's *Technical Guidance On Implementing The Stormwater Runoff Requirements For Federal Projects Under Section 438 Of The Energy Independence And Security Act*; and
- GSA's *PBS Chief Architect Memorandum On Compliance With Section 438 (Stormwater) Requirements Of The Energy Independence And Security Act Of 2007*.

Biological Resources (Section 3.7.2.6 in the Final EIS)

Construction equipment will be washed before and after coming to the site to the extent practicable to limit the transport of invasive species. In addition, during consultation under Section 7 of the ESA process, USFWS recommended several conservation measures, which GSA agreed to implement to reduce the adverse effects on biological resources. GSA will:

- Reduce effects of fugitive dust from project activities by using watering trucks and installing wind fencing where appropriate during windy conditions.
- Implement measures to reduce soil erosion, soil loss, and sedimentation associated with project activities (e.g., disturbed areas will be restored or revegetated to extent possible following construction).
- Ensure that revegetation activities will utilize native, weed-free seed mix (i.e., plant species will not be invasive or noxious) and disturbed areas are restored or revegetated to the extent practicable following construction.
- Direct contractors to clean construction equipment following best management practices to reduce the introduction and spread of invasive species.
- Ensure that project activities occur during daylight hours, to the highest extent practicable.
- Make efforts to ensure that vehicles associated with project implementation adhere to posted speed limits.

Based on comments provided by the Arizona Game and Fish Department (AZGFD) on the Final EIS, GSA will also implement the following measures:

- Prior to construction, conduct an occupancy survey to determine if burrowing owl occurs within the project footprint. GSA will follow guidelines for conducting this survey using *the Burrowing Owl Project Clearance Guidance for Landowners*. The survey will be conducted by a surveyor who is certified by the AZGFD or has similar training and qualifications. If an active burrowing owl burrow is detected, GSA will contact the AZGFD and USFWS for further direction.
- Have a qualified biologist conduct surveys for nesting birds within the project area prior to removal or trimming of vegetation if clearing or trimming occurs during the breeding season (i.e., January through the end of June). If it is anticipated the project cannot comply with the Migratory Bird Treaty Act (MBTA), GSA will coordinate with the USFWS for technical assistance.
- Conduct surveys for burrowing animals to determine their presence and to inform pre-construction activities. GSA will coordinate with AZGFD on appropriate avoidance measures if burrowing animals are identified.
- To the extent practicable, minimize the amount of open trenches at any given time. Where trenches/holes cannot be backfilled immediately, GSA will install escape ramps in each hole and at least every 90 meters in trenches. Escape ramps can be short lateral trenches or wooden planks sloping to the surface. GSA will ensure that slopes to less than 45 degrees (1:1) and trenches and holes that have been left open are inspected to remove animals prior to backfilling.
- To the extent practicable, use pollinator friendly seed mixes in revegetation efforts.
- Employ invasive vegetation monitoring and treatment post construction. To implement this measure GSA will review the Arizona Department of Agriculture's website for prohibited and restricted noxious weeds and the Arizona Native Plant Society for recommendations on control methods, as necessary, as well as iMapInvasives to report invasive species in or near the project area.

Transportation and Traffic (Section 3.8.2.6 in the Final EIS)

GSA will implement the following measures to reduce impacts related to transportation during construction and operations:

- Minimize construction vehicle movement during peak traffic hours.
- Place construction staging areas where they will least interfere with local traffic and parking.
- Minimize detours and impacts to pedestrians during construction activities, to include by providing appropriate information and signage to pedestrians and motorists who are traveling throughout the area.
- Develop a construction traffic and parking management plan in coordination with local officials and business directly affected by street closures that minimizes traffic interference and maintains traffic flow and safety.
- Develop and implement Transportation Demand Management strategies to reduce single occupancy vehicles and encourage carpooling and implementing a shuttle bus for commuting to/from construction sites.
- Implement traffic signal coordination on arterial streets where practical to maximize the efficiency of the intersections and roadway network.
- Coordinate with local, state, and federal transportation authorities when planning access to the RHC LPOE site.

- Follow all local, state, and federal planning guidelines and regulations when maintaining or upgrading roadway infrastructure.
- GSA will continue to coordinate on a final design concept for the RHC LPOE with the City of Douglas to consider pedestrian walk times, pick-up and drop-off locations for LPOE users, appropriate turn radius for vehicle turn movements, and creation of a "fast lane" for those with SENTRI passes or Global Entry.

Noise (Section 3.9.2.6 in the Final EIS)

To the extent practicable, GSA will implement the following measures to reduce impacts related to noise:

- Implementation of noise control measures, include project scheduling, noise barriers, and using noise controls on equipment (e.g., mufflers).
- Conducting construction activities within hours that are in accordance with local noise ordinances.
- If a variation from normal construction hours is required, a variance permit from the City of Douglas or Cochise County will be obtained.

All construction activities will comply with the City of Douglas's and Cochise County's noise ordinance.

In addition, GSA will provide notification to property owners adjacent to the project boundary in advance of times of peak construction when the use of loudest equipment will be used for longer periods of time (e.g., use of jackhammers, excavators, and pavement breakers). Construction activities that could trigger notification may include site preparation, earthwork, and shoring/foundational work. Notification will include, at a minimum, a brief description of the activity, length of the activity, and contact information.

Infrastructure and Utilities (Section 3.10.2.6 in the Final EIS)

Impacts on infrastructure and utilities will be reduced through the following:

- Adherence to GSA's P100 Standards including:
    - New parking and road networks must use low-embodied carbon concrete and environmentally preferable asphalt.
- Buildings will be "net zero" ready on a source energy basis with onsite renewables that are designated on the plan for future installation including pathways, conduits, or other means of providing power to the building.
- Coordinating with utility providers in advance of such activities to determine the best course of action to avoid or minimize impacts, either by implementing measures to protect utility lines or by arranging for their temporary or permanent relocation.

Future development may incorporate onsite renewable energy generation and would utilize energy- and water-efficient technology, which would further reduce demands on utility providers. GSA will also seek a minimum of a LEED Gold certification for construction of a new facility onsite, and steps to achieve this will likely include a reduction in the demand for energy and water.

Socioeconomics (Section 3.11.2.6 in the Final EIS)

GSA will provide relocation assistance for applicable stakeholders in accordance with the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as enacted in the *Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs* (49 Code of Federal Regulations [CFR], Part 24).

Environmental Justice and Protection of Children's Health and Safety (Section 3.12.2.6 in the Final EIS)

Impact reduction measures for resources specific to environmental justice are discussed under the respective resource area (i.e., Air Quality and Greenhouse Gas Emissions; Land Use and Visual Resources; Transportation and Traffic; and Noise).

The construction contractor shall develop a plan to ensure access to and throughout the site is provided during construction, including any necessary Americans with Disabilities Act (ADA) accessibility areas. Because the existing LPOE will remain open during construction, full access for all people (visitors and workers, including disabled populations) shall be maintained. Buildings, parking areas, sidewalks, and other facilities shall also be designed and constructed in compliance with ADA requirements to ensure full access to all visitors and workers.

Human Health and Safety (Section 3.13.2.6 in the Final EIS)

GSA will implement the following measures that will limit impacts related to human health and safety during building construction and operations:

- If polychlorinated biphenyls-containing materials are identified onsite, appropriate abatement actions for their disposal will be implemented in accordance with regulatory requirements, and soil beneath transformers will be evaluated for evidence of releases. If present in underlying soils, appropriate abatement actions for removal and disposal will be implemented in accordance with applicable regulatory requirements.
- All spills or releases of petroleum, oils, or lubricants; hazardous materials; pollutants; or contaminants will be handled in accordance with measures outlined in a Spill Prevention and Response Plan prepared for construction.
- A Soil Management Plan will be prepared to address the potential for encountering areas of environmental concern (e.g., contaminated soil) during grading, excavation, or other subsurface disturbance. The Soil Management Plan will identify specific measures to address hazardous waste and materials cleanup efforts including monitoring, handling, stockpiling, characterization, on-site reuse, export and disposal protocols for excavated soil.
- All personnel will follow standard operating procedures for hazardous material handling.
- All potentially hazardous wastes generated will be properly characterized, segregated, and managed onsite prior to offsite disposal.
- Any existing municipal (household) trash, construction debris, and other waste materials, including waste soils, will be removed from all project areas and disposed of in accordance with applicable regulations.
- Potentially hazardous wastes generated during project-related construction activities will be disposed of or recycled at appropriate facilities in accordance with associated regulatory requirements.
- A USEPA Identification Number will be obtained if more than 100 pounds of hazardous waste is generated under any alternative.
- Construction workers will adhere to safety standards promulgated in 29 CFR Chapter 17 to protect against workplace hazards. To minimize potential exposure or safety concerns to workers, appropriate personal protective equipment will be worn.

Mitigation Monitoring and Enforcement Program

- A Mitigation Monitoring and Enforcement Program (MMEP) will be implemented to ensure that the proposed avoidance, minimization, and mitigation measures identified above are implemented as part of the project. The MMEP will identify the timing, responsibility, and method of implementation of the proposed measures, as well as any required monitoring and enforcement activities. As part of this program, the project contractor will be required to implement the mitigation measures arising from their project activities. These measures will be inspected and monitored to ensure compliance. Any operational mitigation measures will be implemented through the GSA Property Management Office. The MMEP will be maintained by GSA throughout Project implementation and will be included as part of the administrative record for the Project.

DECISION

As Regional Commissioner of GSA Region 9, Public Buildings Service, it is my decision to approve the Preferred Alternative, Alternative 2 – Concurrent Construction (Westward Expansion). It is also my decision to approve sub-alternative 2d (combination of adaptive reuse, relocation, and demolition), pending finalization of consultation with the Arizona SHPO and consulting parties as required under Section 106 of the NHPA.

ENVIRONMENTALLY PREFERABLE ALTERNATIVE

The environmentally preferable alternative is the alternative that best promotes the national environmental policy expressed within NEPA. In general, this refers to the alternative that will result in the least damage to the environment and best protects the natural and cultural resources. Based on the analysis presented in the EIS, the environmentally preferable alternative is Alternative 1 (Sequential Construction).

GSA did not select the Environmentally Preferable Alternative due to economic, schedule, and site layout constraints. GSA selected Alternative 2 because it would meet the purpose and need while resulting in the fewest substantial, adverse socioeconomic consequences, while also achieving cost and time efficiencies that would result in lower construction costs and tax dollar savings. Although the land requirements at the RHC LPOE under Alternative 2 (23 acres required for the expansion area) is greater than that required under Alternative 1 (10.4 acres required for the expansion area), the Alternative 2 construction timeframe (64 to 70 months) would be shorter than the Alternative 1 timeframe (72 to 84 months); thus, overall adverse impacts associated with construction would occur under a shorter timeframe under Alternatives 2 and 3. Compared to Alternative 2, Alternative 3 would have a smaller land requirement (14.8 acres required for the expansion area); however, the number of residential properties and businesses that would be impacted is greater and would, therefore, have a greater adverse socioeconomic impact.

RATIONALE FOR IMPLEMENTING THE PREFERRED ALTERNATIVE

The following economic, technical, and GSA mission considerations were weighted in reaching my decision: due to steady increases in traffic, poor pedestrian infrastructure, lack of separations between traffic types (commercial vehicles, private vehicles, and pedestrians), and undersized facilities at the end of their functional lives, the facilities at the RHC LPOE no longer function adequately and pose safety and security risks for CBP officers and the general public. Of the alternatives considered, I determined that the preferred alternative would best support CBP's mission by bringing the RHC LPOE operations in line with CBP's land port design standards and operational requirements, while addressing existing deficiencies identified with the ongoing port operations. These issues include the following:

- Traffic volumes for all modalities at the RHC LPOE have seen a steady increase in recent years and are expected to continue rising.

- All vehicular traffic crossing through the RHC LPOE must cross through existing communities of Douglas and Agua Prieta (Mexico) and results in congestion and a large demand on existing road infrastructure not designed for such traffic conditions. Additionally, the movement of oversized equipment and mining tools through the port exacerbates congestion and safety issues at the port and through the cities.
- The commingling of commercial, non-commercial, and pedestrian traffic moving through the port also creates a safety and security risk for CBP officers and the general public. The current configuration of the RHC LPOE creates a burden on CBP officers as it requires them to dedicate a disproportionate amount of their time monitoring traffic flows around the port to ensure pedestrian safety.
- The influx of family units and unaccompanied juveniles has increased the strain on the port facilities. Additional space and new facilities are needed to improve the capacity and functionality of the LPOE.

The authority to make the following decision was delegated to me, the Regional Commissioner of the Pacific Rim Region of the Public Buildings Service, on May 26th, 2022 by the Deputy Commissioner of the Public Buildings Service.

My decision to approve the preferred alternative is based on a balancing of likely adverse impacts to the City of Douglas, Cochise County, and surrounding residents as considered in the Final EIS with the need to improve the operational efficiency, effectiveness, security, and safety for the CBP staff and cross-border travelers at the RHC LPOE. This decision likewise takes into account resource concerns, mission and program of the federal inspection services, and public interests as analyzed in the Final EIS, to include public comments received on the Final EIS and documented in Appendix A and B of this ROD. The decision is informed by GSA subject matter experts recommending approval and reviewed by GSA counsel. I reached this decision after careful consideration of the environmental analysis of the direct, indirect, and cumulative effects of the action alternatives and the No Action Alternative, to include potential displacement of adjacent businesses and residents, in concert with the needs Customs and Border Protection, federal agencies, and the greater federal government and with the input from the City of Douglas, Cochise County, State of Arizona and other public stakeholders.

The following GSA mission considerations were weighed in reaching my decision:

- Providing the federal inspection facilities with a safe, secure, and more efficient workplace; and
- Providing the taxpayer with a cost-effective government facility, inclusive of construction costs.

Record of Decision Approval:

Signature: _____ _____

Dan R. Brown
Regional Commissioner
Public Buildings Service (9P)
General Services Administration

Date