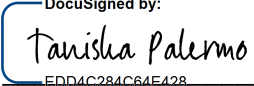


FINDING OF NO SIGNIFICANT IMPACT

Dunseith Land Port of Entry Modernization Project
Final Environmental Assessment
Dunseith, North Dakota

February 2023

In accordance with the National Environmental Policy Act (NEPA), the Council on Environmental Quality's Implementing Regulations for NEPA (40 Code of Federal Regulations parts 1500-1508), and the U.S. General Services Administration's Public Buildings Service NEPA Desk Guide (1999), I find that the Dunseith Land Port of Entry Modernization Project, as described in the Final Environmental Assessment, is not a major federal action significantly affecting the quality of the human environment. Therefore, an environmental impact statement will not be prepared. Mitigation measures will be implemented to ensure that the action avoids or minimizes potentially adverse environmental impacts.

DocuSigned by:

APPROVED: _____
EDD4C284C64E428...

DATE: 2/9/2023

Tanisha Palermo
Regional Commissioner
Rocky Mountain Region (Region 8)
Public Buildings Service
U.S. General Services Administration

This Finding of No Significant Impact will become final 30 days after publication of its Notice of Availability, provided that no information leading to a contrary finding is received or comes to light during the 30-day review period.

FINDING OF NO SIGNIFICANT IMPACT
DUNSEITH LAND PORT OF ENTRY MODERNIZATION PROJECT FINAL ENVIRONMENTAL ASSESSMENT
DUNSEITH, NORTH DAKOTA

1.0 INTRODUCTION

The U.S. General Services Administration (GSA) Rocky Mountain Region (Region 8) prepared a Final Environmental Assessment (Final EA) to assess and document potential impacts resulting from the Dunseith Land Port of Entry (Dunseith LPOE) Modernization Project (project).

The Dunseith LPOE is located on U.S. Route 281, approximately 12 miles north of the town of Dunseith, North Dakota (project area). The Final EA explains the need for the project, the alternatives that were considered to meet the need, the impacts that were identified, and how impacts will be avoided or minimized. The anticipated impacts, mitigation of impacts, and other information discussed below are from the published Final EA.

2.0 PURPOSE OF AND NEED FOR THE PROJECT

The Infrastructure Investment and Jobs Act (2021), also known as the Bipartisan Infrastructure Law, includes \$3.4 billion for GSA to undertake 26 major construction and modernization projects at LPOEs nationwide (GSA 2022). Many of the country's LPOEs are outdated and long overdue for modernization. Some LPOEs operate at full capacity and have surpassed the needs for which they were originally designed.

The purpose of the project is to modernize and expand the Dunseith LPOE. The project is needed to address space constraints, inefficient traffic flows, and increasing inspection demands and traffic relative to what the Dunseith LPOE received when it was originally designed and constructed. The Dunseith LPOE facilities were constructed in the 1960s, are too small, and are served by an inefficient road design.

3.0 SELECTED ALTERNATIVE AND RATIONALE FOR DECISION

GSA selected *Alternative A – Construct New Facilities* as the alternative for implementation because it best meets the purpose of, and need for, the project without causing significant impacts on the resources analyzed in the Final EA. The selected alternative will remove all existing Dunseith LPOE buildings and replace them with new facilities in a new site configuration. The total enclosed building area for the Dunseith LPOE will be approximately 41,508 square feet (sf) with an additional 6,600 sf of canopies and 25,450 sf of parking and hard surface area. The selected alternative is described in more detail below.

3.1 Land Acquisition

Under the selected alternative, the site expansion will require GSA to acquire up to 2.31 acres of land, pending title work, from various landowners to the south and east of the Dunseith LPOE.

3.2 Demolition and Disposal

The Dunseith LPOE main building, inspection canopies, storage facilities, utility and paved areas including inspection lanes and other auxiliary buildings (including the U.S. Customs and Border Protection (CBP) cold storage building and U.S. Fish and Wildlife Service (USFWS) office building) will be demolished and disposed. GSA will perform asbestos abatement and adhere to requirements as set forth in a materials management plan (MMP) for potential hazardous materials disposal. GSA will consider diversion of at least 50 percent of nonhazardous construction and demolition waste from the landfill.

FINDING OF NO SIGNIFICANT IMPACT
DUNSEITH LAND PORT OF ENTRY MODERNIZATION PROJECT FINAL ENVIRONMENTAL ASSESSMENT
DUNSEITH, NORTH DAKOTA

3.3 Facility Construction and Relocation

The selected alternative will include constructing the following new facilities:

- Main building and auxiliary buildings (including the CBP cold storage building and USFWS office building)
- Primary inspection canopy
- Noncommercial secondary inspection canopy and hard inspection building adjacent to the main building
- Commercial secondary inspection dock and nonintrusive inspection building
- U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) inspection facility with commercial vehicle staging

All new facilities will be constructed to attain GSA's climate-resilient and energy-efficient goals.

3.4 Increased Inspection Capacity and Improved Traffic Flow

The selected alternative will provide better inspection capacity and traffic flow through the following improvements:

- Construct four new primary inspection lanes (three of which will be covered)
- Realign the primary inspection lanes and rearrangement of commercial vehicle staging areas
- Make improvements to vehicle circulation such as the addition of a lane that will route northbound vehicles around the east side of the facility

3.5 Infrastructure Improvements

GSA will upgrade utilities by increasing utility capacity for electrical; plumbing, water supply, and sanitary waste; stormwater detention; mechanical; and fire protection to accommodate the site reconfiguration. The selected alternative may require the installation of temporary facilities to allow for the Dunseith LPOE to remain operational 24 hours per day, 7 days per week. A construction phasing plan will be developed during design and implemented during construction to ensure continuity of operations.

3.6 Construction Duration

Construction of the selected alternative will take up to two years (contingent on weather and other site constraints).

The selected alternative allows for optimal operational efficiency and security based on the updated site design, optimal sustainability and climate resiliency, and the least impact on the International Peace Garden (IPG) (CBP 2019).

4.0 IMPACTS AND MITIGATION MEASURES

GSA places a strong emphasis on avoiding and minimizing potentially adverse environmental impacts. Table 1 summarizes the potential impacts and applicable mitigation measures that will be implemented to ensure the selected alternative will have no significant impact on the human environment.

FINDING OF NO SIGNIFICANT IMPACT
DUNSEITH LAND PORT OF ENTRY MODERNIZATION PROJECT FINAL ENVIRONMENTAL ASSESSMENT
DUNSEITH, NORTH DAKOTA

TABLE 1. SUMMARY OF IMPACTS FROM THE SELECTED ALTERNATIVE AND MITIGATION MEASURES.

Resource	Impacts	Mitigation Measures
Geology, Topography, and Soils	Impacts on soils (previously disturbed and undisturbed) will be about 8.5 acres under the selected alternative. Construction activities may expose the project area soils to wind and erosion, resulting in a direct short-term minor impact on soils. Installation of a geothermal system may result in direct long-term site-specific minor adverse impacts on geology, topography, and soils, as well as indirect long-term site-specific minor adverse impacts on water quantity and quality.	GSA will implement mitigation measures during construction including applying water to exposed soils and revegetating exposed areas following construction. In addition, GSA will prepare a detailed stormwater pollution prevention plan prior to construction in accordance with North Dakota Department of Environmental Quality requirements. Following construction, natural stabilization methods will be used in disturbed areas to prevent erosion and promote infiltration of stormwater.
Vegetation and Wetlands	Impacts on vegetation and potential wetlands (previously disturbed and undisturbed) will be about 8.5 acres under the selected alternative. Direct long-term site-specific adverse effects on vegetation and wetlands from grading activities will cause disturbance; however, the effects will be minor because the activities will be mainly in existing previously developed areas. The quantity of wetlands impacted (up to 0.21 acre) will be minor when compared to the overall wetland habitat in the surrounding area. The impacts associated with invasive nonnative plant dispersal from the project will be indirect, short-term, site-specific, and negligible.	GSA will continue to coordinate with the U.S. Army Corps of Engineers during design to determine if any potential wetlands will be affected and if a Clean Water Act Section 404 permit is necessary for the associated impacts. Revegetation of areas temporarily impacted during construction will occur and will be consistent with the vegetation in the surrounding area.
Cultural and Historical Resources and Native American Religious and Other Concerns	No cultural resources or historic properties exist in the project area; therefore, demolition of the existing buildings will have no effect on historic properties. GSA will continue to consult with potentially interested tribes to determine if Indian Sacred Sites or Indian Trust Resources will be affected by the project.	If previously unidentified cultural resources were to be discovered during construction, the GSA Region 8 Regional Historic Preservation Officer will be contacted for evaluation. Mitigation of any adverse effects on Indian Sacred Sites or Indian Trust Resources will be determined among GSA, the Tribal Historic Preservation Officers, and the tribes. In addition, a tribal monitor will be present during initial ground-disturbing activities, as requested by the tribes.
Air Quality and Climate Change	Direct, short-term minor adverse impacts will occur on air quality and climate change from greenhouse gas (GHG) emissions from construction vehicles. Indirect long-term beneficial effects on climate change will occur as facilities will be more energy efficient and will produce lower GHG emissions. The new buildings will also be less susceptible to damage from extreme weather or other climatic events.	GSA will require contractors to use the best available technology regarding construction equipment, to the extent possible, to minimize and/or mitigate vehicle emissions. Dust suppression will be used onsite to control particulates. Facility and infrastructure improvements will incorporate sustainable climate-resilient design following the P100 standards for facilities design (GSA 2021). Renewable energy sources will be considered for viability and feasibility as the design progresses.

FINDING OF NO SIGNIFICANT IMPACT
DUNSEITH LAND PORT OF ENTRY MODERNIZATION PROJECT FINAL ENVIRONMENTAL ASSESSMENT
DUNSEITH, NORTH DAKOTA

Resource	Impacts	Mitigation Measures
Land Use Planning and Zoning	<p>Indirect local minor effects will occur on land use because of construction-related detours at the IPG Airport during the short-term and potential property easements or acquisitions over the long-term.</p> <p>The newly proposed buildings may have indirect local long-term minor effects on the IPG Airport's departure, approach, and runway protection zone surfaces.</p> <p>Direct local short-term minor effects will occur on the existing pedestrian walkway from the airport apron to the Dunseith LPOE, which is overlapped by the project area.</p> <p>Changes in right-of-way (ROW) access to the IPG Airport may result in direct local short-term minor impacts on access.</p> <p>Possible land acquisition of a portion of the IPG Airport property, which is overlapped by the project area, may result in direct local long-term minor impacts on land use.</p> <p>The stormwater detention pond proposed for the project may attract wildlife and present indirect local long-term minor wildlife hazards to aircraft operations at the adjacent IPG Airport.</p>	<p>As design progresses and disturbance areas are refined, GSA will continue to work with landowners to identify ROW impacts and will mitigate these impacts by ensuring full access to their properties during and after construction, through property easements or acquisitions, or through other methods, as required.</p> <p>GSA will coordinate with the Federal Aviation Administration (FAA) on the <i>Obstruction Evaluation and Airport Airspace Analysis</i> to address impacts on the IPG Airport's surfaces and utilize the FAA Advisory Circular 150/5200-33C to minimize and/or mitigate potential wildlife impacts on flight operations. For example, the FAA recommends the use of steep-sided riprap or concrete-lined, narrow, linear-shaped stormwater detention ponds.</p>
Environmental Justice	<p>Direct short-term minor beneficial economic impacts on the local economy will occur during construction. Short-term effects will occur during construction and will be mostly limited to a slight increase in the construction work force and beneficial impacts from associated spending in the local community.</p> <p>Overall, the selected alternative will not result in disproportionately high and adverse effects on minority and low-income populations in the vicinity of the project area.</p>	None

FINDING OF NO SIGNIFICANT IMPACT
DUNSEITH LAND PORT OF ENTRY MODERNIZATION PROJECT FINAL ENVIRONMENTAL ASSESSMENT
DUNSEITH, NORTH DAKOTA

Resource	Impacts	Mitigation Measures
Environmental Contamination and Waste Management	<p>The selected alternative has the potential to encounter historical fuel oil underground storage tanks (USTs) and asbestos-containing materials (ACM) in the main building and USFWS building. Unanticipated hazardous substances or petroleum products could also be encountered during implementation of the project.</p> <p>With implementation of mitigation measures, impacts are anticipated to be indirect, short-term, site-specific, and minor; and indirect, long-term, site-specific, and beneficial.</p>	<p>A geophysical survey of the project area will be conducted to locate potential USTs.</p> <p>A pre-alteration assessment for asbestos and lead will be completed prior to alternatives design and demolition of the structures, and ACM will be abated from any buildings planned for demolition by a licensed asbestos abatement professional, as required by federal and state law.</p> <p>GSA will develop a MMP to address the proper handling and disposal of any unanticipated hazardous substances or petroleum products.</p>
Safety and Security	<p>Impacts on vehicle inspections will be direct, local, short-term, and minor during construction and beneficial over the long-term because of the improved inspection efficiency and inspectors' safety.</p> <p>During construction, temporary inspection facilities will be smaller than the existing facilities, making inspections less efficient, and resulting in direct local short-term minor adverse impacts.</p>	<p>Signs, barriers, and traffic cones will be installed to direct vehicles to the appropriate temporary inspection areas. The location of the temporary inspection areas and how long they might be used is not known at this time and will be finalized during the design process.</p>
Traffic and Transportation	<p>Traffic delays will occur during traffic detours to avoid active construction areas, or during the use of temporary inspection areas. Temporary road or lane closures of U.S. Route 281 may occur during building demolition and facility construction. Direct local short-term minor impacts will occur on traffic and transportation because of detours and traffic delays.</p>	<p>GSA, in coordination with North Dakota Department of Transportation, will create a traffic management plan that will outline the anticipated timing, duration, and proposed phasing of any travel lane closures, traffic detours, and temporary inspection areas.</p>

5.0 OTHER ALTERNATIVES ANALYZED IN THE FINAL EA

5.1 Alternative B – Construct Smaller or Fewer Facilities

GSA developed Alternative B in the interest of reducing ground disturbance and minimizing new construction, while still addressing the agency's safety and security requirements. This alternative includes constructing smaller facilities or fewer new facilities that are currently in acceptable condition and considering reuse of existing buildings or portions thereof. The total amount of new building space (including buildings and canopies) would be about 13,000 to 15,000 sf, rather than the approximately 41,508 sf proposed under the selected alternative. Alternative B includes the following components:

- Acquire up to 2.31 acres of land from various landowners, pending title work (the same as the selected alternative)
- Demolish the existing Dunseith LPOE primary inspection canopy and auxiliary buildings (including the CBP cold storage building and USFWS office building)
- Expand the main building attached or adjacent to the existing main building, and renovate and reuse the existing Dunseith LPOE main building
- Construct four new primary inspection lanes, three of which would be covered
- Construct a new noncommercial secondary inspection canopy and hard inspection building adjacent to the main building
- Construct a new commercial secondary inspection dock and nonintrusive inspection building
- Construct a new APHIS inspection facility with commercial vehicle staging
- Upgrade utilities and infrastructure to be consistent with the selected alternative (i.e., stormwater detention, energy use reduction goals, parking, storage requirements, commercial staging area, and commercial impound lots would be the same)
- Construction duration similar to the selected alternative (up to two years)

Alternative B would achieve the same climate, sustainability, and energy goals as outlined in selected alternative.

5.2 Alternative C – No Action Alternative

NEPA requires federal agencies to consider a no action alternative to provide a baseline for comparing the environmental impacts of the action alternatives. Under Alternative C, No Action Alternative, GSA would not modernize the existing Dunseith LPOE facilities. The small and outdated facilities would continue to result in space constraints and inefficient traffic flows and would not meet CBP's mission or needs.

FINDING OF NO SIGNIFICANT IMPACT
DUNSEITH LAND PORT OF ENTRY MODERNIZATION PROJECT FINAL ENVIRONMENTAL ASSESSMENT
DUNSEITH, NORTH DAKOTA

6.0 REFERENCES

U.S. Customs and Border Protection (CBP). 2019. Final Feasibility Study. U.S. Department of Homeland Security and U.S. Customs and Border Protection, Dunseith LPOE, Dunseith, North Dakota. Prepared on behalf of the U.S. General Services Administration by the Parsons Corporation. LPOE Replacement Revision 0. April.

U.S. General Services Administration (GSA). 2021. P100 Facilities Standards for the Public Buildings Service. October.

U.S. General Services Administration (GSA). 2022. Bipartisan Infrastructure Law and LPOEs. Bipartisan Infrastructure Law and LPOEs | GSA. <https://www.gsa.gov/real-estate/gsa-properties/land-ports-of-entry-and-the-bil/bipartisan-infrastructure-law-and-lpoes>. Last accessed August 3, 2022.