U.S. General Services Administration

Dunseith Land Port of Entry Modernization Project

Final Environmental Assessment

February 2023

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

U.S. General Services Administration | Public Buildings Service
Rocky Mountain Region (Region 8)
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EXECUTIVE SUMMARY

The U.S. General Services Administration (GSA) Rocky Mountain Region (Region 8) has prepared this 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). This Final EA examines the impacts from potential improvements at the Dunseith LPOE, including site expansion (up to 2.31 acres, pending title work); demolition; and new construction.

This Final EA has been prepared pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended.

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 2022a). Many of the country's LPOEs are outdated and long overdue for modernization.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 this 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.

Alternatives Development

Table ES-1 provides a summary and comparison of the alternatives analyzed in this Final EA.

TABLE ES-1. SUMMARY OF ALTERNATIVES.

Alternative A – Construct New Facilities (Proposed Action and Preferred Alternative)	Alternative B – Construct Smaller or Fewer Facilities	Alternative C – No Action
Incorporate sustainable, climate-resilient, cyber-secure, and operationally efficient design. Seek to meet or exceed energy and sustainability goals established by federal guidelines and policies, along with industry standard building codes and best practices.	Incorporate goals and objectives similar to Alternative A.	No change from existing conditions.
Acquire up to 2.31 acres of land (pending title work) from various landowners to the south and east of the Dunseith LPOE.	Acquire up to 2.31 acres of land (pending title work) from various landowners (the same as Alternative A).	No change from existing conditions.
Demolish the existing Dunseith LPOE main building, inspection canopies, storage facilities, utility and paved areas, 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).	Demolish only the existing Dunseith LPOE primary inspection canopy, storage facilities, utility and paved areas, and other auxiliary buildings (including the CBP cold storage building and USFWS office building).	No change from existing conditions.
Construct the following new facilities (total of about 42,000 sf): • Main building and auxiliary buildings • 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	Construct the following new facilities (total of about 13,000 to 15,000 sf): • Expand the main building; the expansion would be attached or adjacent to the existing main building; renovate and reuse the existing Dunseith LPOE main building • Noncommercial secondary inspection canopy and hard inspection building adjacent to the main building • Commercial secondary inspection dock and nonintrusive inspection building • APHIS inspection facility with commercial vehicle staging	No change from existing conditions.

Alternative A – Construct New Facilities (Proposed Action and Preferred Alternative)	Alternative B – Construct Smaller or Fewer Facilities	Alternative C – No Action
Construct better inspection capacity and traffic flow through the following improvements: • Construction of four new primary inspection lanes (three of which would be covered) • Realignment of the primary inspection lanes and rearrangement of commercial vehicle staging areas • Improvements to vehicle circulation such as the addition of a lane that would route northbound vehicles around the east side of the facility	Construct better inspection capacity and traffic flow, similar to Alternative A.	No change from existing conditions.
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.	Upgrade utilities and infrastructure to have similar capacity as Alternative A.	No change from existing conditions.

Environmental Consequences

Table ES-2 provides a summary of potential impacts for each alternative analyzed in this Final EA.

TABLE ES-2. SUMMARY OF POTENTIAL IMPACTS.

Resource	Alternative A Impacts	Alternative B Impacts	Alternative C Impacts
Geology, Topography, and Soils	Impacts on soils (previously disturbed and undisturbed) would be about 8.5 acres under Alternative A. 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 would 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.	Impacts on soils (previously disturbed and undisturbed) would be about 7 acres under Alternative B. Construction activities may also expose project area soils to wind and erosion, resulting in a direct short-term minor impact on soils. Installation of a geothermal system would 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.	None
Vegetation and Wetlands	Impacts on vegetation and potential wetlands (previously disturbed and undisturbed) would be about 8.5 acres under Alternative A. Direct long-term site-specific adverse effects on vegetation and wetlands from grading activities would cause disturbance; however, the effects would be minor because the activities would be mainly in existing previously developed areas. The quantity of wetlands impacted (up to 0.21 acre) would be minor when compared to the overall wetland habitat in the surrounding area. The impacts associated with invasive nonnative plant dispersal from the project would be indirect, short-term, site-specific, and negligible.	Impacts on vegetation and potential wetlands (previously disturbed and undisturbed) would be about 7 acres under Alternative B. Direct long-term site-specific adverse effects on vegetation and wetlands from grading activities would cause disturbance; however, the effects would be minor because most of the activities would occur in previously disturbed areas and would be approximately 1.5 acres less than Alternative A. The impacts associated with invasive nonnative plant dispersal would be the same as Alternative A.	None

Resource	Alternative A Impacts	Alternative B Impacts	Alternative C Impacts
Cultural and Historic Resources, Indian Sacred Sites, and Indian Trust Resources	No cultural resources or historic properties exist in the project area; therefore, demolition of the existing buildings would have no effect on historic properties. GSA would continue to consult with potentially interested tribes to determine if Indian Sacred Sites or Indian Trust Resources would be affected by the project.	Alternative B would have no effect on historic properties, the same as Alternative A. GSA would continue to consult with potentially interested tribes to determine if Indian Sacred Sites or Indian Trust Resources would be affected by the project.	None
Air Quality and Climate Change	Direct short-term minor adverse impacts would occur on air quality and climate change from greenhouse gas (GHG) emissions from construction vehicles. Indirect long-term beneficial effects on climate change would occur as facilities would be more energy efficient and would produce lower GHG emissions. The new buildings would also be less susceptible to damage from extreme weather or other climatic events.	Same as Alternative A	Inefficient traffic flows would result in increased emissions over time; the existing facilities would be more susceptible to damage from extreme weather or other climatic events, which would have an indirect long-term negligible effect on climate change.

Resource	Alternative A Impacts	Alternative B Impacts	Alternative C Impacts
Land Use Planning and Zoning	Indirect local minor effects would 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. As design progresses and disturbance areas are refined, GSA would continue to work with landowners to identify right-of-way (ROW) impacts and would 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. The newly proposed buildings may have indirect local long-term minor effects on the IPG Airport's departure, approach, and runway protection zone surfaces. Direct local short-term minor effects would occur on the existing pedestrian walkway from the airport apron to the Dunseith LPOE, which is overlapped by the project area. Changes in ROW access to the IPG Airport may result in direct local short-term minor impacts on access. Possible land acquisition of a portion of the IPG Airport property, which is overlapped by the project area (see Figure 6), may result in direct local long-term minor impacts on land use. 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.	Same as Alternative A	None

Resource	Alternative A Impacts	Alternative B Impacts	Alternative C Impacts
Environmental Justice	Direct short-term minor beneficial economic impacts on the local economy would occur during construction. Short-term effects would occur during construction and would be mostly limited to a slight increase in the construction work force and beneficial impacts from associated spending in the local community. Overall, Alternative A would not result in disproportionally high and adverse effects on minority and low-income populations in the vicinity of the project area.	Same as Alternative A	None
Environmental Contamination and Waste Management	Alternative A has the potential to encounter historical fuel oil underground storage tanks (USTs) and asbestos-containing material in the main building and USFWS building. Unanticipated hazardous substances or petroleum products could also be encountered during implementation of the project. 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.	Alternative B would have less ground disturbance and less building demolition than Alternative A because fewer new facilities would be constructed. 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.	Indirect long-term site-specific minor impacts would occur because the historical USTs in unknown locations would be left in place and not addressed.
Safety and Security	Impacts on vehicle inspections would be direct, local, short-term, and minor during construction and beneficial over the long-term because of the improved inspection efficiency and inspectors' safety. During construction, temporary inspection facilities would be smaller than the existing facilities, making inspections less efficient, and resulting in direct local short-term minor adverse impacts.	Same as Alternative A	Existing security issues would remain, resulting in direct site-specific long-term minor impacts.

Resource	Alternative A Impacts	Alternative B Impacts	Alternative C Impacts
Traffic and Transportation	Traffic delays would 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 would occur on traffic and transportation because of detours and traffic delays.	Same as Alternative A	Inefficient traffic flows could worsen if vehicle volumes increase over the long-term, resulting in direct local minor impacts on traffic.

Public Involvement

Internal and External Scoping

After considering the issues identified during internal and external scoping and during public review of the Draft Environmental Assessment (Draft EA), GSA prepared this Final EA, which is available for public review for 30 days, from February 27, 2023, through March 29, 2023 (available at: https://www.gsa.gov/real-estate/gsa-properties/land-ports-of-entry-and-the-bil/bipartisan-infrastructure-law-construction-project/north-dakota).

Draft EA Review

The public was encouraged to provide comments on the Draft EA from October 24, 2022, through November 24, 2022.

As part of the public involvement process for the Draft EA, GSA hosted an in-person public meeting for the project on November 9, 2022, from 6:00 pm to 7:30 pm CST at the Dunseith Emergency Response Center located at 515 Main Street South, Dunseith, ND 58329. GSA also hosted a virtual public meeting on November 16, 2022, from 6:00 pm to 7:30 pm CST via Zoom.

During these meetings, GSA presented information on the proposed project and impacts related to the alternatives. Opportunities for the public to comment on the project were provided at both meetings.

This Final EA has been prepared by GSA to address substantive concerns identified by the public and interested stakeholders, and to ensure that the impact analysis considers all available information and data. Substantive changes made to the Draft EA are reflected in this Final EA based on the public comments received and are also presented in the errata (Appendix 7.4).

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FIGURES

TABLES

APPENDICES

LIST OF ACRONYMS

Asbestos-containing material	ACM
Animal and Plant Health Inspection Service	APHIS
Area of potential effects	APE
Code of Federal Regulations	CFR
Council on Environmental Quality	CEQ
Emergency Response Center	ERC
Endangered Species Act	ESA
Environmental Assessment	EA
Environmental Justice	EJ
Environmental Protection Agency	EPA
Executive Order	EO
Federal Aviation Administration	FAA
Federal Emergency Management Agency	FEMA
Greenhouse gas	GHG
International Peace Garden	IPG
Land Port of Entry	LPOE
Major Land Resource Area	MLRA
Materials Management Plan	MMP
National Ambient Air Quality Standards	NAAQS
National Environmental Policy Act	NEPA
National Historic Preservation Act	NHPA
National Register of Historic Places	NRHP
Natural Resources Conservation Service	NRCS
North Dakota Administrative Code	NDAC
North Dakota Department of Environmental Quality	NDDEQ
North Dakota Department of Health	NDDH
North Dakota Department of Transportation	NDDOT
North Dakota Ecological Services Field Office	NDFO
North Dakota State Historic Preservation Office	North Dakota SHPO
Program of Requirements	POR
Public Buildings Service	PBS
Right-of-way	ROW
Stormwater Pollution Prevention Plan	SWPP
Square feet	sf
Tribal Historic Preservation Officers	THPOs
Underground storage tanks	USTs
U.S. Army Corps of Engineers	USACE
U.S. Customs and Border Protection	CBP
U.S. Department of Agriculture	USDA
U.S. Fish and Wildlife Service	USFWS
U.S. General Services Administration	GSA

1.0 INTRODUCTION

The U.S. General Services Administration (GSA) Rocky Mountain Region (Region 8) has prepared this 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 (Figure 1). U.S. Customs and Border Protection (CBP) currently inspects private vehicular, pedestrian, and commercial truck traffic at the Dunseith LPOE on the U.S.-Canada Border. Current Dunseith LPOE facilities and configurations do not meet CBP's needs and do not allow for expeditious and safe inspection of the traveling public. This Final EA examines the impacts from potential improvements at the Dunseith LPOE, including site expansion (up to 2.31 acres, pending title work); demolition; and new construction.

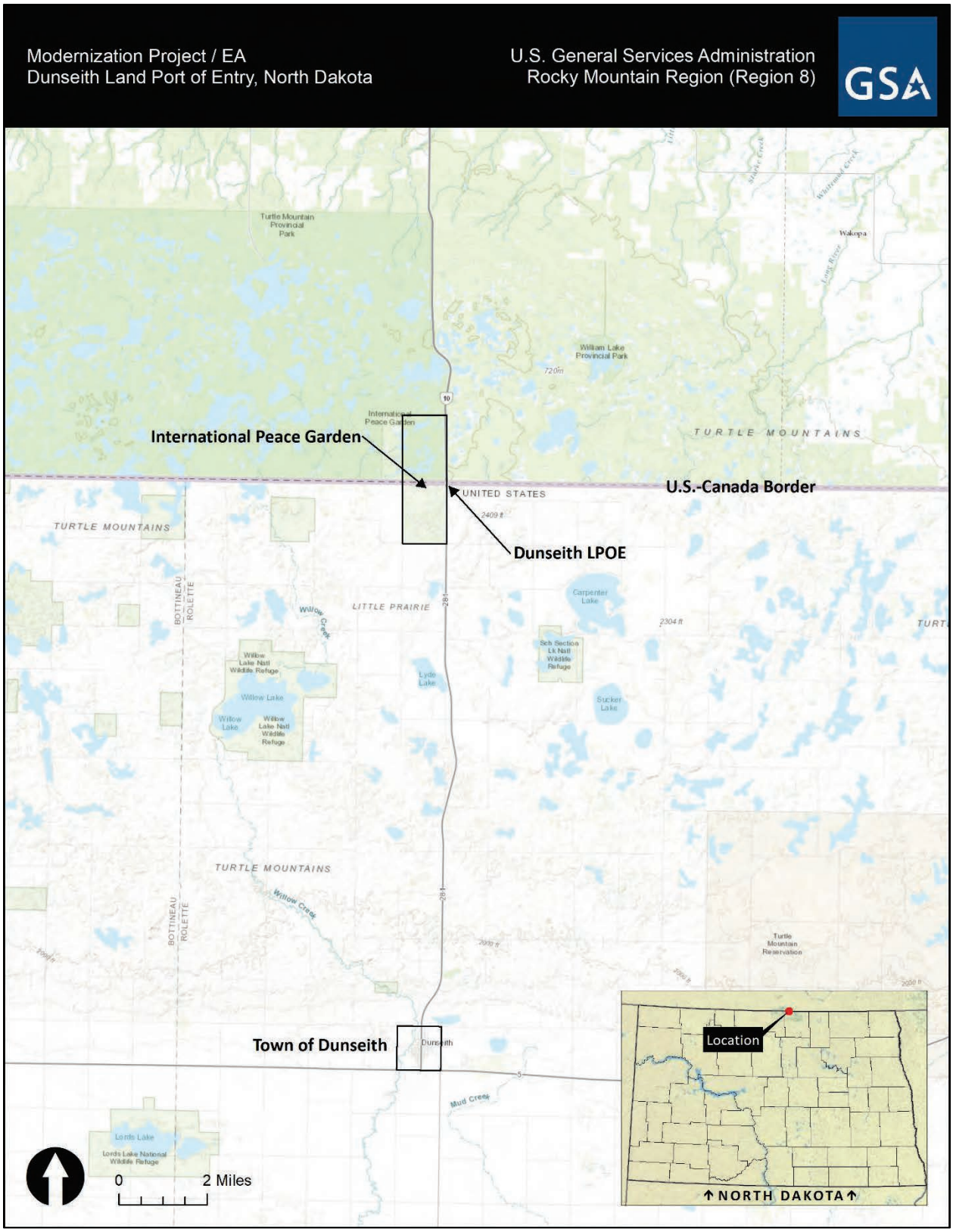
The National Environmental Policy Act of 1969 (NEPA), as amended, requires federal agencies to prepare an EA to determine if an action has the potential to significantly affect the quality of the human environment. In addition, GSA is integrating the consultation processes required under Section 106 of the National Historic Preservation Act (NHPA) and Section 7 of the Endangered Species Act (ESA) with the NEPA process. Potential adverse and beneficial effects on historic, biological, and other resources that may result from the project are disclosed in this Final EA.

1.1 Purpose of and Need for the Dunseith LPOE Modernization 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 2022a). 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 this 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.

FIGURE 1. PROJECT LOCATION



1.2 Project Background

GSA's Public Buildings Service (PBS) assists federal agency customers housed in GSA facilities with their current and future workplace needs based on their specific mission requirements. As part of a nationwide effort, CBP conducted programmatic feasibility studies for LPOEs, and their operational deficiencies, based on the most recent LPOE Design Standards (CBP 2019). These programmatic feasibility studies provide viable alternatives to modernize each port, correct deficiencies, and bring the facilities up to current standards. The Feasibility Study for the Dunseith LPOE (Feasibility Study) was completed in 2019 to assess the existing Dunseith LPOE facilities based on LPOE Design Standards (CBP 2019).

Current deficiencies in the Dunseith LPOE include lack of space for current needs in the main building, facilities with systems or components at or near the end of their expected service life, inadequate fire protection system, foundation issues, lack of parking spaces, lack of roadway space, and deficient inspection facilities (CBP 2019).

The Feasibility Study presented three potential alternatives to address the identified deficiencies (CBP 2019). Section 2.2 of this Final EA analyzes alternatives that were informed by the alternatives described in the Feasibility Study, but they have been further developed and expanded upon. Section 2.3 describes alternatives that were considered but dismissed from further consideration.

1.3 Project Area and Existing Facilities

The project area is approximately 12 miles north of the town of Dunseith, North Dakota, in the north-central region of the state (Figure 2). The legal address of the Dunseith LPOE is 10947 U.S. Route 281, Dunseith, North Dakota 58329. Dunseith is situated in Rolette County; 70 miles northeast of Minot, North Dakota; and 150 miles northwest of Grand Forks, North Dakota. The Dunseith LPOE is across the border from the Canada Border Services Agency located in Boissevain, Manitoba (CBP 2019).

Currently, the Dunseith LPOE contains a main building (constructed in 1960 and renovated in 1974) and an inspection garage between the northbound and southbound lanes of U.S. Route 281. Secondary facilities east of the Dunseith LPOE include a GSA storage building, a U.S. Fish and Wildlife Service (USFWS)/Madison administrative building (constructed in 1960), a CBP storage shed, and a trailer for the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS).

FIGURE 2. PROJECT AREA AND EXISTING FACILITIES

1.4 Issues and Impact Topics

Through internal and external scoping, GSA has identified a range of issues and impact topics to evaluate in this Final EA. Issues are problems that the current situation has caused or that will continue to occur if they are not addressed. Impact topics are resources or values to be analyzed for potential environmental impacts under each alternative. Issues and impact topics should be retained if there is potential for effects on specific resources and if these impacts will help the agency make a reasoned decision between the alternatives. Issues and impact topics are dismissed from detailed analysis if the preceding considerations do not apply.

1.4.1 Issues and Impact Topics Retained for Detailed Analysis

This section describes the resources or values that could be affected by the alternatives and that require further consideration. Table 1 lists these resources and the reasons for retaining the topic.

TABLE 1. ISSUES AND IMPACT TOPICS RETAINED.

Impact Topic	Reasons for Retaining Impact Topic
Geology, Topography, and Soils	Proposed construction and ground-disturbing activities under the action alternatives could result in impacts on geology, topographic features, and soils.
Vegetation and Wetlands	Proposed construction and ground-disturbing activities under the action alternatives could result in impacts on vegetation, such as native prairie grasses, and wetlands.
Cultural and Historic Resources, Indian Sacred Sites, and Indian Trust Resources	Although no known cultural resources have been identified in the project area, proposed construction and ground-disturbing activities under the action alternatives could result in impacts on cultural and archaeological resources. In addition, GSA is consulting with potentially interested tribes on Indian Sacred Sites and Indian Trust Resources that may be impacted by the project.
Air Quality and Climate Change	Proposed construction under the action alternatives may cause increased vehicle emissions and fugitive dust in the project area from construction equipment and traffic delays over the short-term.
Land Use Planning and Zoning	The action alternatives could result in acquisition of land and a change in land use.
Environmental Justice (EJ)	Executive Order (EO) 12898, “General Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” directs all federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations. EJ populations have been identified in the general area of the Dunseith LPOE (Census Block Group 2), including the Turtle Mountain Reservation and other minority populations.
Environmental Contamination and Waste Management	Proposed construction and ground-disturbing activities under the action alternatives could result in impacts on three potential fuel oil underground storage tank (UST) sites in the project area and generate waste for disposal.
Safety and Security	Proposed construction under the action alternatives could result in changes to the operation of the Dunseith LPOE and potential changes in the safety and security of the Dunseith LPOE.
Traffic and Transportation	The alternatives could result in impacts on traffic and temporary U.S. Route 281 lane closures.

1.4.2 Issues and Impact Topics Considered but Dismissed from Detailed Analysis

This section describes the resources that were considered but dismissed from detailed analysis. Table 2 lists these resources and the reasons for dismissing the impact topic.

TABLE 2. IMPACT TOPICS CONSIDERED BUT DISMISSED FROM DETAILED ANALYSIS.

Impact Topic	Reasons for Dismissing Impact Topic
Coastal Zone Management	The Coastal Zone Management Act of 1972 (16 United States Code (U.S.C.) 1451 et seq.) addresses federal actions affecting property in designated coastal zone management areas (CZMAs) and requires actions to be compliant with federal and state coastal zone management plans. The state of North Dakota has no CZMAs and, thus, no further analysis is required. Therefore, this topic was dismissed from further analysis in this Final EA.
Floodplains	EO 11988, "Floodplain Management," requires an examination of impacts on floodplains and potential risks involved in placing facilities in floodplains. The Federal Emergency Management Agency (FEMA) designates floodplains as geographic zones subject to varying levels of flood risk. Each zone reflects the severity or type of potential flooding in the area. The project area is located in Zone X, an area of minimal flood hazard (FEMA 2022). Since the project area is located in an area of minimal flood hazard and the alternatives would have no effect on floodplains, this topic was dismissed from further analysis in this Final EA.
Water Resources	The project area is in the Willow Lake subwatershed (Housing and Urban Development 12:090100040703). No named drainages or unnamed drainages are located in, or adjacent to, the project area. The nearest drainage is an unnamed drainage located about 0.25 mile south of the project area that flows east to west across U.S. Route 281. Construction and ground-disturbing activities from the action alternatives could possibly result in indirect minor adverse impacts on water quality from the installation of a geothermal system and in the unnamed drainage 0.25 mile south of the facility from the introduction of sediment. In addition, some water would be transported from an offsite source during construction for dust suppression and soil compaction activities; however, this water use is not expected to adversely affect existing water quality or quantity. No new impacts on water resources would occur from the No Action Alternative. Mitigation measures described in Section 3.14 would be used to capture any sediment and minimize any impacts, thereby minimizing further the risk of any impacts (already just temporary and negligible) on water quality. Because the project would have few impacts on water quality, this topic was dismissed from further analysis in this Final EA.
Threatened and Endangered Species	Section 7 of the ESA requires federal agencies to "request of the Secretary [of the Department of the Interior] information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any federal agency. GSA evaluated the project area for potential habitat for federally listed species and determined the project area is unlikely to support a population of, or adversely affect, any listed species. GSA submitted a request for technical assistance to the USFWS to confirm the project would have no effect on any of the listed species (GSA 2022b). The USFWS agreed with GSA's preliminary effect determinations and stated no objection unless any major changes to the project are proposed (USFWS 2022). Because the project would have no effect on any federally listed species, this topic was dismissed from detailed analysis in this Final EA.

Impact Topic	Reasons for Dismissing Impact Topic
Wildlife	The International Peace Garden (IPG), which is adjacent to the project area, provides important habitat for a variety of migratory birds. Birds migrating in the area may occasionally stop at the IPG to rest or feed. However, the project area contains minimal vegetation, is primarily dominated by mowed grassland and landscaped trees and shrubs, and has high levels of human disturbance; therefore, the Dunseith LPOE has very little suitable habitat for most birds and other wildlife relative to other sites nearby. The stormwater detention pond proposed for the project could, however, attract wildlife and present potential wildlife hazards to aircraft operations at the adjacent IPG Airport. GSA would coordinate with the Federal Aviation Administration (FAA) in regard to the FAA Advisory Circular 150/5200-33C to minimize and/or mitigate potential wildlife impacts on flight operations. Due to the overall lack of habitat in the project area, and because GSA would coordinate with the FAA to mitigate impacts from the proposed stormwater detention pond, this topic was dismissed from further analysis in this Final EA.
Visual Resources	The project area is predominantly developed with structures; infrastructure (e.g., roads, utilities, and stormwater detention); and landscaped vegetation such as mowed grasses. The action alternatives would result in changes to the visual appearance of the Dunseith LPOE with larger, more modern structures. However, the general aesthetic of the project area would be similar to the current aesthetic and the use of the project area would remain the same. Overall, the effects on the visual quality of the Dunseith LPOE would be negligible from the action alternatives; therefore, this topic was dismissed from further analysis in this Final EA.
Population and Housing	The Dunseith LPOE is in a rural area. Surrounding land uses are primarily agricultural and undeveloped. The alternatives would not result in changes in the existing or future population and housing needs in the vicinity of the project area because the port would not measurably increase or decrease Dunseith LPOE staff. Therefore, this topic was dismissed from further analysis in this Final EA.
Socioeconomic Resources	The action alternatives would result in short-term construction-related economic effects for the residents and businesses in the vicinity of the project area. Construction laborers would likely come from communities in Rolette County and other surrounding counties. No change in economic or employment effects on nearby communities would occur under the No Action Alternative. Long-term economic benefits are not anticipated and, therefore, this topic was dismissed from further analysis in this Final EA.
Community Facilities and Services	No impacts or changes to existing community facilities and services would occur under the alternatives as there are no community facilities or services in the project area; therefore, this topic was dismissed from further analysis in this Final EA.
Utilities	Utilities at the existing Dunseith LPOE include water, sewer, electric, and telecommunications. The Dunseith LPOE is seeking new electrical service and would move from a single phase to three phase system, which would require a new service feeder and transformer installed by the service provider. While construction of the project could result in temporary and minor outages for some utilities at the Dunseith LPOE due to new facility construction and utility relocation and upgrades, any impacts on utilities or from utilities resulting from the relocation and upgrade of existing utilities would be temporary. A subsurface utility investigation would occur prior to any construction activities under the action alternatives. Impacts would not occur under the No Action Alternative. Therefore, this topic was dismissed from further analysis in this Final EA.

1.5 Relevant Environmental Laws and Regulations

1.5.1 National Environmental Policy Act and NEPA Process

NEPA was signed into law on January 1, 1970. NEPA requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions (U.S. Environmental Protection Agency (EPA) 2022a). The PBS GSA NEPA Desk Guide (1999) states, "The principal purpose of an EA is to help you determine whether to prepare an EIS for your action. We use EAs as a method to streamline NEPA compliance for actions that are not major Federal actions significantly affecting the quality of the human environment." Federal agencies must prepare an EA if the significance of the impacts that may result from the proposed action is unknown. GSA's EAs and other NEPA documents are prepared in accordance with the Council on Environmental Quality (CEQ) regulations for implementing NEPA (40 Code of Federal Regulations (CFR) 1500-1508), GSA Order ADM 1095.1F – Environmental Considerations in Decision Making, and the GSA PBS NEPA Desk Guide (October 1999).

Federal agencies are required to provide meaningful opportunities for public participation in a proposed action. Opportunities for the public and interested stakeholders to become involved in the NEPA process occur when an agency begins scoping and when a NEPA document is published for public review and comment (EPA 2022b). Please refer to Chapter 4.0 *Consultation and Coordination* for detailed information concerning internal and external scoping and public review of the Draft Environmental Assessment (Draft EA) during the NEPA process.

1.5.2 Section 106 of the National Historic Preservation Act

The NHPA (54 U.S.C. 300101 et seq.) directs each federal agency, and those tribal, state, and local governments that assume federal agency responsibilities, to protect historic properties and to avoid, minimize, or mitigate possible harm that may result from agency actions. The process for identifying and assessing the effects a federal agency's actions may have on historic properties is known as the Section 106 process and is detailed in 36 CFR 800. Early consideration of historic or cultural resources in project planning and full consultation with interested parties are key to effective compliance with Section 106. The North Dakota State Historic Preservation Office (SHPO) and Tribal Historic Preservation Officers (THPOs) are the primary consulting parties in the process.

Historic properties are those that are listed in or eligible for listing in the National Register of Historic Places (NRHP). The NRHP is a list of districts, sites, buildings, structures, and objects that have been determined by the National Park Service to be significant in American history, architecture, archaeology, engineering, or culture at the local, state, or national level. Generally, a property must be at least 50 years old to qualify for listing in the NRHP (36 CFR 60.4), but there are exceptions.

The Section 106 process includes four steps (GSA 2019): (1) initiate consultation with the primary consulting parties, (2) identify and evaluate historic properties, (3) assess effects of the project on sites listed in or eligible for listing in the NRHP, and (4) resolve any adverse effects via design changes or mitigation.

In addition to Section 106 consultation with the North Dakota SHPO and THPOs, GSA is using this Final EA to satisfy the requirements of Section 106 of the NHPA. Section 106 consultation activities for this Final EA are described in more detail in Sections 4.3 and 4.4.

1.5.3 Section 7 of the Endangered Species Act

The ESA provides a means for conserving the ecosystems upon which threatened and endangered species depend and a program for the conservation of such species. The ESA directs all federal agencies to participate in conserving these species and to use their authorities to further the purposes of the ESA. Specifically, Section 7(a)(1) of the ESA charges federal agencies to aid in the conservation of threatened and endangered species, and Section 7(a)(2) requires the agencies to ensure that their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats. Section 7 of the ESA (16 U.S.C. 1531 et seq.) outlines the procedures for federal interagency cooperation to conserve federally listed species and designated critical habitats.

GSA's Section 7 consultation activities for this Final EA are described in more detail in Section 4.2.

1.5.4 Relevant Laws and Regulations

Table 3 provides a list of potentially relevant laws and regulations that GSA must comply with as part of the project planning and NEPA process.

TABLE 3. RELEVANT LAWS AND REGULATIONS.

Statutes
Archaeological Resources Protection Act of 1979 (16 U.S.C. § 470aa-mm)
Clean Air Act of 1970 as amended (42 U.S.C. § 7401, et seq.)
Clean Water Act of 1977 as amended (33 U.S.C. § 1251, et seq.)
Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9601, et seq.)
ESA of 1973 (16 U.S.C. § 1531-1544)
Energy Independence and Security Act (42 U.S.C. § 17001, et seq.)
National Energy Conservation Policy Act (42 U.S.C. § 8231, et seq.)
NHPA of 1966 (54 U.S.C. § 300101 et seq.) (89 Public Law 665 (1966))
Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901, et seq.)
Regulations
32 CFR 229 – Protection of Archaeological Resources: Uniform Regulations
33 CFR 320-330 – U.S. Army Corps of Engineers Regulations
36 CFR 800 – Protection of Historic Properties
40 CFR 300-399 – Hazardous Substance Regulations
40 CFR 6, 51, and 93 – Conformity of General Federal Actions to State or Federal Implementation Plans
CEQ Regulations (40 CFR 1500-1508)
Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 Federal Register 44716, Thursday, September 29, 1983)
Executive Orders
EO 11593 – Protection and Enhancement of the Cultural Environment
EO 11988 – Floodplain Management
EO 11990 – Protection of Wetlands
EO 12898 – Environmental Justice
EO 13007 – Indian Sacred Sites
EO 13175 – Indian Trust Resources
EO 13287 – Preserve America
EO 13327 – Federal Real Property Asset Management
EO 13589 – Promoting Efficient Spending
EO 14008 – Tackling the Climate Crisis at Home and Abroad

North Dakota Administrative Code (NDAC)
Approval of Plans and Specifications Prior to Construction of Water Works and Sewerage Systems (NDAC 33.1-03)
Air Pollution Control Rules (NDAC 33.1-15)
North Dakota Pollutant Discharge Elimination System (NDAC 33.1-16-01)
Public Water Supply Systems in North Dakota (NDAC 33.1-17-01)
Water Well Contractors Rules (NDAC 33.1-18)
Solid Waste Management and Land Protection Rules (NDAC 33.1-20)
Cesspools, Septic Tanks, Privies Rules (NDAC 33.1-21)
Hazardous Waste Management Rules; Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks (NDAC 33.1-24)

2.0 ALTERNATIVES DEVELOPMENT

2.1 Alternatives Development Process

This Final EA evaluates three alternatives, which includes two action alternatives and the No Action Alternative. As described above in Section 1.2, alternatives were developed as part of the Feasibility Study (CBP 2019). These alternatives have been refined through internal and external scoping for the project and are described in greater detail below (Section 2.2).

All facility and infrastructure improvements proposed under the action alternatives (Alternatives A and B) would incorporate sustainable, climate-resilient, cyber-secure, and operationally efficient design. GSA would seek to meet or exceed energy and sustainability goals established by federal guidelines and policies, along with industry standard building codes and best practices. Sustainability elements may include, but are not limited to:

- Implementation of the *Facilities Standards for the Public Buildings Service* (P100) and associated 2022 *Addendum* in facilities design (GSA 2021):
  - Establishes standards and criteria for GSA-owned inventory and lease construction facilities
  - Includes mandatory standards for energy and sustainable design, historic preservation, accessibility, and other codes and standards
- Diversion of at least 50 percent of nonhazardous construction and demolition waste from a landfill
- Consideration of renewable energy sources for viability and feasibility

2.2 Alternatives Considered

2.2.1 Alternative A – Construct New Facilities (Proposed Action)

Alternative A, the Proposed Action and preferred alternative, includes removal of all existing Dunseith LPOE buildings and replacement with new facilities in a new site configuration (Figure 3). GSA prepared a Program of Requirements (POR) in May 2018 (CBP 2019). Based on the CBP Design Standards, the total enclosed building area required for the Dunseith LPOE is approximately 41,508 square feet (sf) with an additional 6,600 sf of canopies and 25,450 sf of parking and hard surface area (CBP 2019). Table 4 shows the existing space and POR space needed by the Dunseith LPOE and its federal agency customers.

Alternative A components would fulfill the space requirements in Table 4 and are described below.

TABLE 4. EXISTING AND POR SPACE SUMMARY.

Dunseith LPOE	Existing	POR
Inspection Lanes	3 lanes in/0 lanes out	4 lanes in/1 lane out
Parking and Hard Surface Area	18,500 sf	25,450 sf
Canopy Areas	3,761 sf	6,600 sf
Enclosed Facility Space	8,937 sf	41,508 sf

2.2.1.1 Land Acquisition

Under Alternative A, the site expansion would 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.

2.2.1.2 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 CBP cold storage building and USFWS office building) would be demolished and disposed. GSA would perform asbestos abatement and adhere to requirements as set forth in a materials management plan (MMP) for potential hazardous materials disposal, as described in Section 3.7.2. As noted above, GSA would consider diversion of at least 50 percent of nonhazardous construction and demolition waste from the landfill.

2.2.1.3 Facility Construction and Relocation

Alternative A includes 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
- APHIS inspection facility with commercial vehicle staging

As described in Section 2.1, all new facilities would be constructed to attain GSA's climate-resilient and energy-efficient goals.

2.2.1.4 Increased Inspection Capacity and Improved Traffic Flow

Alternative A would provide better inspection capacity and traffic flow through the following improvements:

- Construct four new primary inspection lanes (three of which would 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 would route northbound vehicles around the east side of the facility

2.2.1.5 Infrastructure Improvements

Under Alternative A, GSA would 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. Alternative A 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 would be developed during design and implemented during construction to ensure continuity of operations.

FIGURE 3. ALTERNATIVE A – CONSTRUCT NEW FACILITIES (PROPOSED ACTION)

2.2.1.6 Construction Duration

Construction of Alternative A would take up to two years (contingent on weather and other site constraints).

Alternative A 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). Alternative A would result in the greatest overall upfront costs, but lower life-cycle costs due to decreased maintenance and repair.

2.2.2 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 (Figure 4). 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 Alternative A. Alternative B includes the following components:

- Acquire up to 2.31 acres of land from various landowners, pending title work (the same as Alternative A)
- 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 Alternative A (i.e., stormwater detention, energy use reduction goals, parking, storage requirements, commercial staging area, and commercial impound lots would be the same)
- Construction duration is anticipated to be similar to Alternative A (up to two years)

Alternative B would achieve the same climate, sustainability, and energy goals as outlined in Alternative A. Alternative B would likely have lower overall upfront costs for construction than Alternative A, but would have higher life-cycle costs. Alternative B would result in less ground disturbance than Alternative A because of the potential reuse of the Dunseith LPOE main building.

2.2.3 Alternative C – No Action

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.

2.2.4 Proposed Turnaround for NDDOT Snowplow Operations

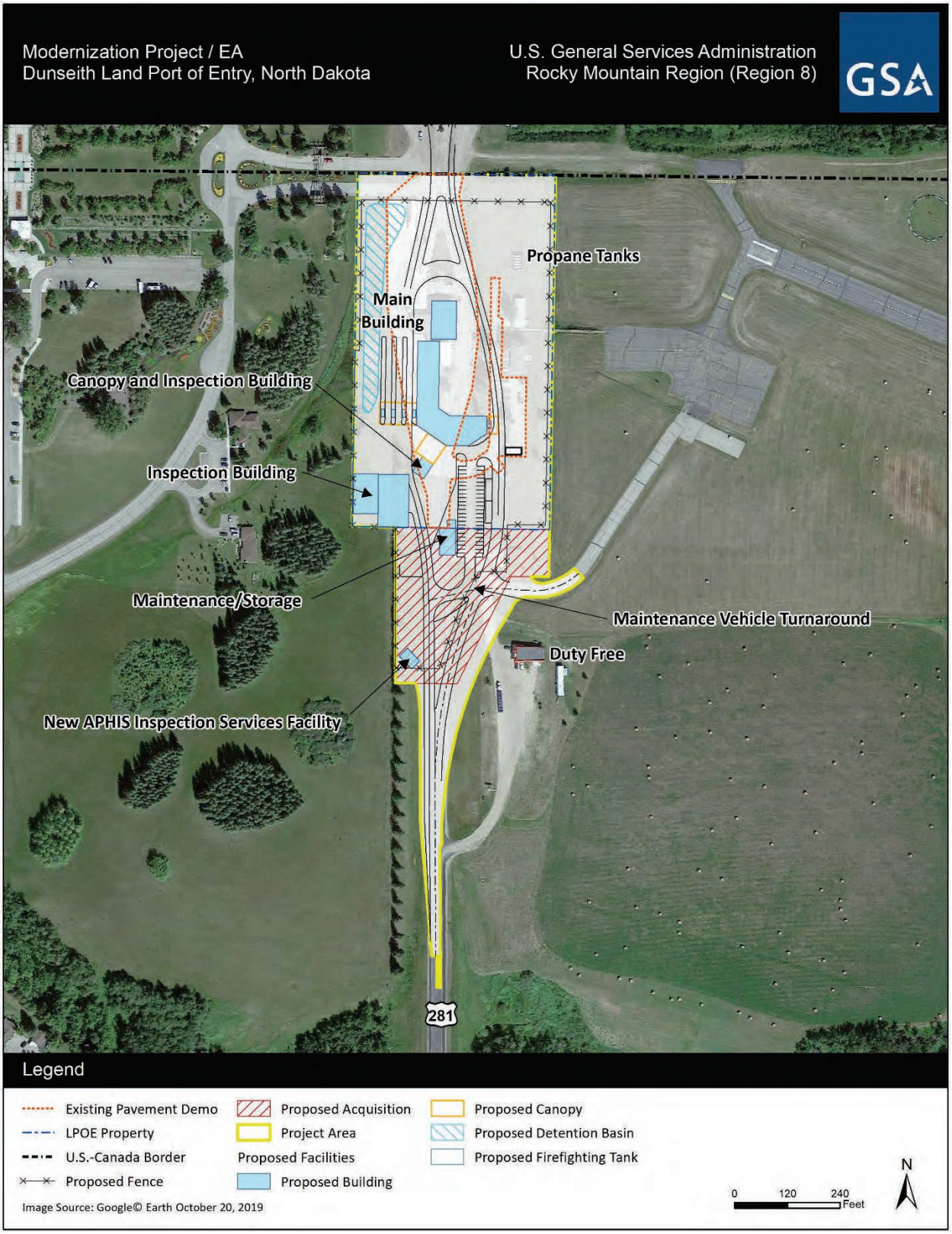
In addition to the alternatives described above, NDDOT expressed the need for a snow removal and maintenance turnaround area in the NDDOT right-of-way (ROW). The turnaround area would be located directly south of the Dunseith LPOE entrance similar to other LPOE designs (see also Section 4.3). Figure 3 and Figure 4 illustrate the proposed turnaround area, which would be incorporated into both action alternatives (i.e., Alternative A and Alternative B).

2.3 Alternatives Dismissed from Further Consideration

2.3.1 Acquire Portion of the IPG Property

As part of the site expansion to accommodate larger updated facilities, GSA considered additional acquisition of up to 7.83 acres of property from the IPG (CBP 2019) to allow for more space and better traffic flow at the Dunseith LPOE. The IPG was created in 1928 as “a garden on an international border where people could share interests and celebrate friendship” (IPG 2022) and serves as a symbol of friendship between the U.S. and Canada. GSA determined that the action alternatives carried forward would keep the Dunseith LPOE in the existing footprint and would still provide better flow. Land acquisition from the IPG would have resulted in greater adverse impacts on previously undisturbed soils, vegetation, wildlife habitat, and wetlands. In addition, expansion into the IPG would reduce the acreage of gardens, prairie, and forest available for the public to enjoy. For these reasons, this alternative was dismissed from further consideration.

FIGURE 4. ALTERNATIVE B – CONSTRUCT SMALLER OR FEWER FACILITIES



3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This chapter of the Final EA describes the existing conditions of the human environment, and the impacts Alternatives A, B, and C would have on the Dunseith LPOE and surrounding area. The No Action Alternative and action alternatives described in Chapter 2.0, *Alternatives Development*, would have varying impacts on natural and cultural resources, safety and security, and infrastructure (e.g., the transportation network).

The analysis is described in terms of direct, indirect, and cumulative environmental impacts. Direct impacts are caused by the action and occur at the same time and place. Indirect impacts are caused by the action and occur later in time or are farther removed in distance but are still reasonably foreseeable. Cumulative impacts result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor, but collectively significant, actions taking place over time (40 CFR 1508.7–1508.8) (cumulative impacts for each resource are described in Section 3.10).

Potential impacts are described in terms of intensity, geographic context, and duration, as applicable. Definitions for intensity thresholds for the resources analyzed in this chapter are provided in Table 5. A discussion of measures that GSA would implement to minimize and/or mitigate impacts is at the end of each resource area impact analysis. Section 3.13 includes a summary of all impacts and mitigation measures for the alternatives.

TABLE 5. IMPACT INTENSITY THRESHOLDS.

Impact Description	Definition
Intensity	**Negligible**: The impact is not measurable or discernable from current conditions **Minor**: The impact is slight but detectable **Moderate**: The impact is readily apparent, and there would be a noticeable change from current conditions **Major**: The impact is severe, significant, and highly noticeable; major impacts may be above a threshold of significance
Geographic Context	**Site-specific**: Impacts are limited to the Dunseith LPOE **Local**: Impacts extend beyond the Dunseith LPOE and affect the area in the general vicinity of the Dunseith LPOE **Regional**: Impacts affect a larger area such as Rolette County
Duration	**Short-term**: Impacts would occur only during construction (temporary) **Long-term**: Impacts would occur after construction

3.1 Geology, Topography, and Soils

3.1.1 Affected Environment

Surface geology in the area is characterized by Pleistocene to Holocene-age (2.58 million to 11,650 years ago) deposits of clay and silt underlain by the sand, shale, and sandstone of the Paleocene-age (65 to 66 million years ago) Cannonball Formation (American Geosciences Institute [AGI] 2022). The U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), has identified K-factors for each soil type (USDA, NRCS 2022). This describes the susceptibility of the soil type to erosion and the rate of runoff. K-factors can range from 0.02 (low) to 0.69 (high). Soils with a low K-factor are susceptible to erosion but have a low runoff rate. Soils with a median K-factor are moderately susceptible to erosion and have a moderate runoff rate. Soils with a high K-factor are the most erodible and have a high runoff rate. The project area has a K-factor of 0.24 (moderate).

The project area is covered by Rolla silty clay soils with 0 to 15 percent slopes that are moderately well drained. The approximate soil depth is 62 inches below ground surface and the depth to bedrock is estimated to be greater than 6.75 feet below ground surface (USDA, NRCS 2022). The NRCS Web Soil Survey (USDA, NRCS 2022) shows that the Rolla complex is “very limited” for small commercial building construction, which indicates that the soil has one or more features that are unfavorable for this use. These limitations generally cannot be overcome without major soil reclamation, special design, or particular installation procedures for infrastructure.

U.S. Route 281 has crossed the project area from south to north since at least 1935; and the Dunseith LPOE, which is situated on U.S. Route 281 and what was historically prime farmland, likely altered site topography during its initial development beginning in the early 1960s. The project area is in the Turtle Mountains at an elevation of about 2,285 feet above mean sea level, although it is relatively flat. No stormwater infrastructure in the project area currently limits erosion. No geologic hazards, such as faults, evidence of subsidence, or karst topography, are present in the project area (AGI 2022).

3.1.2 Environmental Consequences

3.1.2.1 Methods and Assumptions

Impacts on geology and soils were quantitatively analyzed by calculating the amount of excavated or disturbed soil in the project area. Based on the previously described indices developed by the NRCS, the analysis also qualitatively focused on the likelihood of erosion, sedimentation, and compaction that would affect these resources.

3.1.2.2 Alternative A – Construct New Facilities (Proposed Action)

Alternative A includes removal of all existing Dunseith LPOE buildings and replacement with new facilities in a new site configuration. Any changes caused by implementation of the project would occur on previously disturbed terrain in the project area and create very little new disturbance. Impacts on soils (previously disturbed and undisturbed) would be about 8.5 acres. Construction activities may also expose project area soils to wind, erosion, sedimentation, and compaction, resulting in a direct short-term minor impact on soils. GSA would implement mitigation measures during construction such as applying water to exposed soils and revegetating exposed areas following construction.

GSA is also considering geothermal energy as a renewable energy source for the Dunseith LPOE. While this consideration is preliminary and would be determined during design, installation of a geothermal system would require drilling a well approximately 1 mile deep into underground reservoirs to tap into steam and very hot water (U.S. Department of Energy 2022). Depending on the type of system installed, open or closed loop systems, the impacts may vary. Closed loop systems circulate an antifreeze solution through a closed loop, usually made of a plastic-type tubing, that is buried in the ground or submerged in water, and a heat exchanger transfers heat between the refrigerant in the heat pump and the antifreeze solution in the closed loop (DOE n.d.). Open loop systems use water as the heat exchange fluid that circulates directly through the geothermal heat pump system. Once it has circulated through the system, the water returns to the ground through the water source (such as a well), a recharge well, or surface discharge (DOE n.d.).

While the ground disturbance footprint for this type of energy source is small relative to other renewable energy sources, the depth of drilling would result in direct long-term site-specific adverse impacts on geology and soils, although these impacts are anticipated to be minor. Geothermal energy installation may also result in indirect long-term site-specific minor adverse impacts on water quantity in a closed loop system because some geothermal fluids are lost as steam; in an open loop system, indirect long-term site-specific minor adverse impacts on water quality and quantity may occur because underground geothermal reservoir substances (e.g., sulfur, salts, and other compounds) can seep into the groundwater and an ongoing water supply from underground reservoirs is needed (Clean Energy Ideas 2022). Overall, new facility and infrastructure impacts on geology, topography, and soils would be direct, short-term, site-specific, and minor.

In addition to the mitigation measures described above, GSA would prepare a detailed stormwater pollution prevention plan (SWPP) prior to construction in accordance with North Dakota Department of Environmental Quality (NDDEQ) requirements. The development of this SWPP, with review and approval by NDDEQ, would ensure that appropriate measures are employed to contain sediments in the project area. Following construction, natural stabilization methods, such as erosion wattles, would be used in disturbed areas to prevent erosion and promote infiltration of stormwater, resulting in minor impacts on geology, topography, and soils.

3.1.2.3 Alternative B – Construct Smaller or Fewer Facilities

Alternative B includes constructing smaller or fewer new facilities and considers reusing existing buildings or portions thereof. Impacts under Alternative B would be similar to the impacts described under Alternative A but would result in impacts on soils (previously disturbed and undisturbed) of about 7 acres since fewer new facilities would be constructed. Although the majority of the project area is previously disturbed with existing facilities and infrastructure, Alternative B impacts on geology, topography, and soils would be less than Alternative A impacts.

Mitigation measures under Alternative B would be the same as under Alternative A.

3.1.2.4 Alternative C – No Action

Under the No Action Alternative, current facilities and infrastructure at the Dunseith LPOE would remain. No ground disturbance from new facility construction or other infrastructure would occur; therefore, no impacts are anticipated on the existing geology, topography, and soils.

3.2 Vegetation and Wetlands

3.2.1 Affected Environment

3.2.1.1 Regional Setting

The region is located in the Northern Black Glaciated Plains Major Land Resource Area (MLRA), which is characterized by gently undulating to rolling continental glacial till plains with areas of kettle holes, kames, and moraines (USDA, NRCS 2006). The native vegetation in the Northern Black Glaciated Plains MLRA is prairie grasses, classified as mixed-grass steppe with a combination of short grasses and tall grasses. Blue grama (*Bouteloua gracilis*), hairy grama (*Bouteloua hirsuta*), buffalo grass (*Bouteloua dactyloides*), little bluestem (*Poa pratensis L*), and needle-and-three grass (*Hesperostipa comata*) make up the dominant grasses (North Dakota Game and Fish Department (NDGFD) 2019). Much of the area consists of cropland (USDA, NRCS 2006). The regional setting of

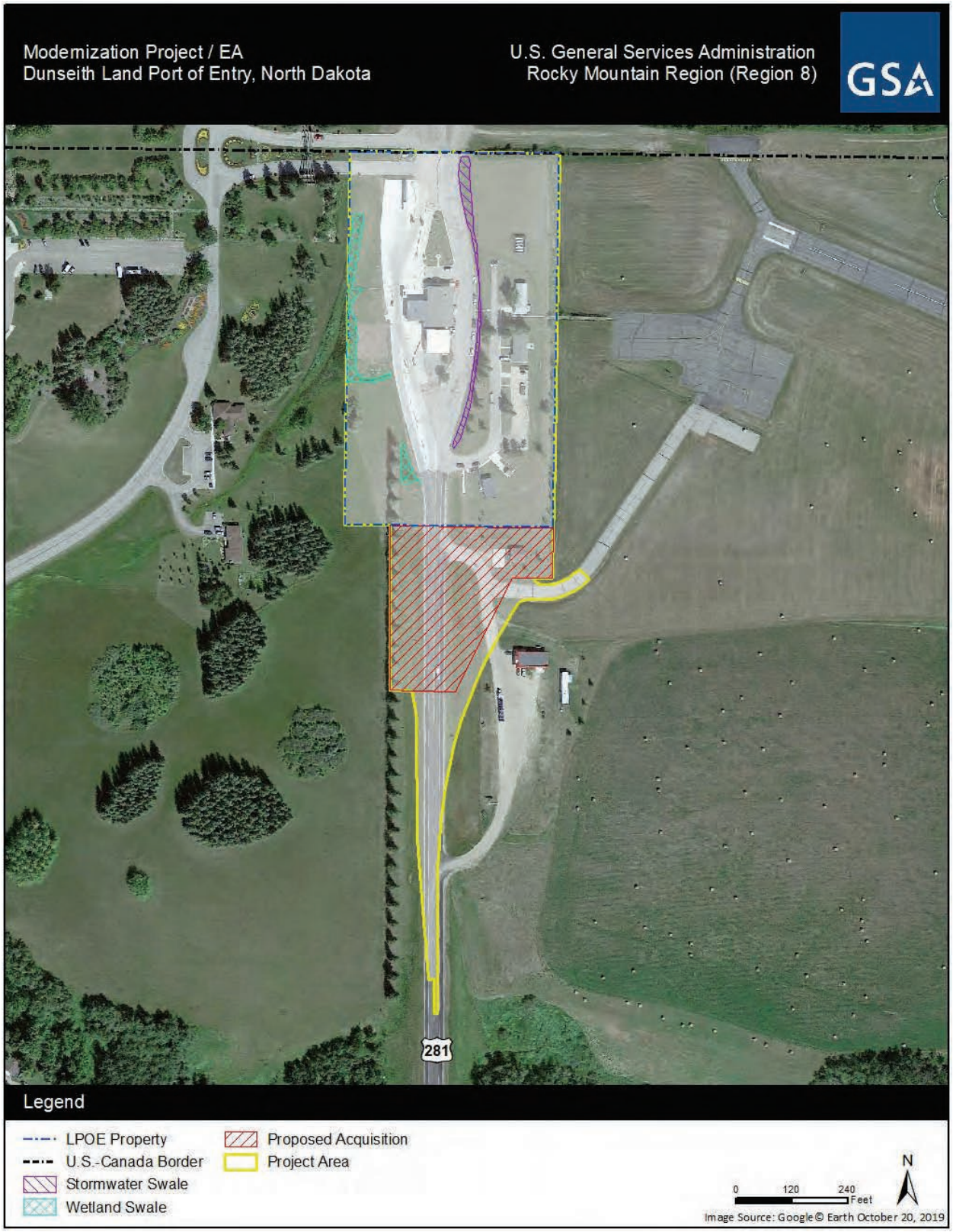
the area is in the Turtle Mountains, one of the few naturally forested areas in North Dakota, with overstory dominated by aspen (*Populus tremuloides*), black poplar (*Populus nigra*), birch (*Betula sp*.), box elder (*Acer negundo*), elm (*Ulmus sp*.), and bur oak (*Quercus macrocarpa*) (Bluemle 2016). The Turtle Mountains also contain a variety of native shrubs and hundreds of lakes and ponds.

3.2.1.2 Dunseith LPOE Conditions

The vegetation in the majority of the project area is mowed bluegrass (*Poa sp.*) with landscaped trees and shrubs. The IPG is directly west of the project area and contains a variety of habitats including prairie, forests, and wetlands.

The project area is within Hydrologic Unit 090100040703. The USFWS National Wetlands Inventory has not identified any wetlands in the project area. However, several small swales have been identified through aerial photography and site visits (Figure 5). Two swales west of the Dunseith LPOE cover approximately 0.21 acre and are primarily dominated by cattails (*Typha sp.*), with some standing water present. One of the swales appears to be a natural depression that hydrologically connects to an intermittent stream that flows into Udall Lake at the IPG. Udall Lake is located approximately 0.42 mile from the Dunseith LPOE and was hand dug by the Civilian Conservation Corps in 1934 (IPG 2022). A swale east of the Dunseith LPOE covers approximately 0.12 acre, was constructed to support stormwater runoff, and contains no vegetation representative of a wetland.

FIGURE 5. POTENTIAL WETLANDS IN THE PROJECT AREA



3.2.2 Environmental Consequences

3.2.2.1 Methods and Assumptions

To assess impacts on vegetation and potential wetlands, the area of existing vegetation that would be impacted by the project from grading and other construction-related activities was qualitatively evaluated, as well as the potential for invasive and nonnative plant dispersal from the project. Potential wetlands were mapped based on aerial imagery and photographs taken of the project area where wetland vegetation was identified; however, a formal wetland delineation was not completed. The total footprint of the project area was also evaluated in relation to the existing vegetation and wetland communities in the surrounding area.

3.2.2.2 Alternative A – Construct New Facilities (Proposed Action)

Ground disturbance under Alternative A (previously disturbed and undisturbed) would be about 8.5 acres. Alternative A would have a direct long-term site-specific adverse effect on vegetation from grading activities; however, the effects would be minor because the activities would be mainly in existing previously developed areas. Alternative A would also include grading activities in the swales; however, the amount of potential wetlands impacted (up to 0.21 acre) would be minor when compared to the overall wetland habitat in the surrounding area. GSA would likely conduct a wetland delineation during project design and would continue to coordinate with the U.S. Army Corps of Engineers (USACE) to determine if any potential wetlands would be affected and if a Section 404 permit is necessary for compliance with the Clean Water Act (Erhardt pers. comm. 2022). Revegetation of areas temporarily impacted during construction would occur and would be consistent with the vegetation in the surrounding area.

Staging and stockpiling of construction equipment and fill material could increase the potential for the spread of invasive nonnative plants. The spread of these invasive nonnative plants would largely occur from equipment that harbor seed in tire treads or from transporting host plant material. However, equipment would be washed and inspected to remove seed and host plant material to mitigate these potential impacts. Therefore, the impacts associated with invasive nonnative plant dispersal from the project would be indirect, short-term, site-specific, and negligible.

3.2.2.3 Alternative B – Construct Smaller or Fewer Facilities

Ground disturbance under Alternative B (previously disturbed and undisturbed) would be about 7 acres. Alternative B would have a direct long-term site-specific adverse effect on vegetation from grading activities; however, the effects would be minor because the activities would be mainly in existing previously developed areas and would be 1.5 acres less than Alternative A. Alternative B would also include grading activities in the swales; however, the amount of potential wetlands impacted (up to 0.21 acre, similar to Alternative A) would be minor when compared to the overall wetland habitat in the surrounding area such as the IPG. GSA would follow mitigation measures similar to those discussed under Alternative A and continue to coordinate with the USACE if any impacts on wetlands are proposed. The impacts associated with invasive nonnative plant dispersal from the project would be the same as Alternative A.

3.2.2.4 Alternative C – No Action

Under the No Action Alternative, current facilities and infrastructure would remain, and no ground disturbance from new facility construction or other infrastructure would occur. Therefore, no impacts on vegetation or wetlands would occur.

3.3 Cultural and Historical Resources and Indian Sacred Sites and Indian Trust Resources

Section 106 of the NHPA of 1966, as amended, and its implementing regulations under 36 CFR 800 require all federal agencies to consider effects of federal actions on historic properties. Historic properties are those cultural resources that are either listed in, or eligible for listing in, the NRHP.

During the Section 106 review, the federal agency considers effects on historic properties in the area of potential effects (APE). The APE is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist" (36 CFR 800.16). Cultural and historic resources include archaeological sites, buildings, structures, objects, districts, or areas of traditional religious and cultural importance. The National Park Service has established an age criteria guideline of 50 years in order for a cultural resource to be evaluated as a potential historic property (Little et al. 2000).

Indian Sacred Sites and Indian Trust Resources are legislatively considered under several acts and EOs, namely the American Indian Religious Freedom Act of 1978 (Public Law [PL] 95-341), the Native American Graves Protection and Repatriation Act of 1990 (PL 101-601), and EO 13007 (1996; Indian Sacred Sites). In summary, these acts and EOs require, in concert with other provisions such as those found in the NHPA and Archaeological Resources Protection Act, that the U.S. Federal Government carefully and proactively take into consideration traditional and religious Native American culture and life (often referred to as "Traditional Cultural Properties") and ensure, to the degree possible, that access to sacred sites, the treatment of human remains, the possession of sacred items, the conduct of traditional religious practices, and the preservation of important cultural properties are considered and not unduly infringed upon. In some cases, these concerns are directly related to "historic properties" and "archaeological resources." In other cases, elements of the landscape that have no archaeological or other human material remains may also be involved. Identification of these concerns is normally completed during the land use planning efforts, using references to existing studies, or by direct consultation.

3.3.1 Affected Environment

A file and literature review of the APE (which was determined to be the same as the project area, Figure 2) was conducted for this project (ERO 2022a). Eight previous inventories and two previously recorded sites are within 0.5 mile of the APE. Previous surveys were conducted for earlier iterations of improvements at the Dunseith LPOE, improvements to U.S. Route 281, a source materials project for the NDDOT, and infrastructure improvements to the IPG. Four of these surveys overlap the current APE (approximately 78 percent of the APE).

Two sites have been documented within 0.5 mile of the APE (32RO18 and 32RO406). Site 32RO18 is the IPG, determined eligible for listing in the NRHP. The IPG is west of the project area, outside of the APE. Site 32RO406 is the Dunseith LPOE, which overlaps the current APE. The site was determined not eligible for listing in the NRHP (North Dakota SHPO 2019). Archival research of the APE did not yield additional potential historic properties (ERO 2022a).

An intensive pedestrian Cultural and Historic Resource Survey was also conducted for this project on the 2.31 acres previously unsurveyed due to the recent and extensive nature of the previous surveys (ERO 2022a). The 2022 survey did not yield additional cultural or historic resources. ERO revisited site 32RO406, which is the extant Dunseith LPOE. Documentation for this site was recently completed by Historical Research Associates in 2019 (Burk-Hise and Greiser 2019). Historical Research Associates documented six architectural structures at the site, three of which date to the potential period of significance: the Port Building (1960), the Cold Storage Building (1967), and Residence No. 4 (1960). The structures do not meet the criteria to be eligible for listing in the NRHP and, therefore, the site was determined not eligible for listing in the NRHP by the North Dakota SHPO (North Dakota SHPO 2019). The 2022 survey did not yield additional cultural or historic resources; the North Dakota SHPO concurred with a finding of no historic properties affected for the project (Appendix 7.1).

3.3.2 Environmental Consequences

3.3.2.1 Methods and Assumptions

GSA analyzed the entire APE for cultural and historical resources. Current and previous site surveys were used to determine the potential for adverse effects on cultural and historic properties in the APE. In addition, an intensive pedestrian Cultural and Historic Resource Survey was conducted on the 2.31 acres that may be acquired under the action alternatives (ERO 2022a). Tribal consultation is ongoing to determine if Indian Sacred Sites or Indian Trust Resources may be potentially impacted by either of the action alternatives.

3.3.2.2 Alternative A – Construct New Facilities (Proposed Action)

No historic properties exist in the project area; demolition of the existing buildings would have no effect on historic properties. GSA continues to consult with potentially interested tribes to determine if Indian Sacred Sites or Indian Trust Resources would be affected by the project.

Mitigation of any adverse effects on Indian Sacred Sites or Indian Trust Resources would be determined among GSA, the THPOs, and the tribes. In addition, a tribal monitor would be present during initial ground-disturbing activities, as requested by the tribes (see Section 4.4).

3.3.2.3 Alternative B – Construct Smaller or Fewer Facilities

Alternative B would have the same no effect on historic properties as described under Alternative A. GSA continues to consult with potentially interested tribes to determine if Indian Sacred Sites or Indian Trust Resources would be affected by the project.

Mitigation of any adverse effects on Indian Sacred Sites or Indian Trust Resources would be determined among GSA, the THPOs, and the tribes. In addition, a tribal monitor would be present during construction, as requested by the tribes (see Section 4.4).

3.3.2.4 Alternative C – No Action

Under the No Action Alternative, CBP would remain in the current facilities and no changes to the Dunseith LPOE would occur. No ground disturbance from new facility construction or other infrastructure would occur. Because no historic or traditional cultural properties exist in the extant

Dunseith LPOE, there would be no impacts on historic or traditional cultural properties under the No Action Alternative.

3.4 Air Quality and Climate Change

3.4.1 Affected Environment

3.4.1.1 Air Quality

The EPA has established the National Ambient Air Quality Standards (NAAQS), which are maximum allowable atmospheric concentrations for several pollutants including carbon monoxide (CO), nitrogen dioxide, sulfur dioxide (SO_2), particulate matter less than or equal to 10 micrometers in diameter (PM_{10}), particulate matter less than or equal to 2.5 micrometers in diameter ($PM_{2.5}$), and ozone (O_3).

The NDDEQ, Division of Air Quality (Division), has the primary responsibility for protecting the health and welfare of North Dakotans from the harmful effects of air pollution. The Division ensures that the ambient air quality falls within state standards as required under Chapter 33.1-15-02 and the NAAQS (NDDEQ 2022). The Division owns and operates eight ambient air quality monitoring sites throughout the state. The Lostwood National Wildlife Refuge air quality monitoring site is the closest monitoring station to the Dunseith LPOE and is 119 miles west of the project area. In addition, the Ryder, North Dakota station is 139 miles southwest of the project area.

There are no known existing air quality issues at the Dunseith LPOE. Air emission sources in and near the project area include vehicles entering the Dunseith LPOE and using other local roads, maintenance vehicles in the project area, boilers, water heaters, and fuel storage tanks. Traffic at the Dunseith LPOE has increased since the port was originally designed and constructed. However, traffic at the Dunseith LPOE and regionally is relatively low, and no major congestion problems have been reported. Traffic is generally higher during the summer months and some congestion can occur due to the arrival and departure of summer camp guests at the IPG (Schumaier pers. comm. 2022) (see Table 8 for 2017 through 2020 traffic volumes through the Dunseith LPOE). In addition, the area around the Dunseith LPOE is sparsely populated with no notable air quality emissions sources. Given its rural location and site-specific mission, expansion of the facility is not expected to increase the vehicle throughput at the Dunseith LPOE.

3.4.1.2 Climate Change

Greenhouse gas (GHG) emissions released from human activities are widely recognized as a contributing factor to climate change. While the economic sectors responsible for the most human-generated GHG emissions in the U.S. in 2017 were transportation (29 percent), electricity production (28 percent), and industry (22 percent), new commercial and residential developments also contribute to total GHG emissions (12 percent) (EPA 2019). Changes to Earth's climate, driven by increased human emissions of GHGs, are having widespread effects on the environment including glacial melting, accelerated sea level rise, and longer and more intense heat waves (EPA 2019).

In the past century, most of the state of North Dakota has warmed an average of about 2 degrees Fahrenheit (EPA 2016). Changing climate is likely to have both positive and negative effects on agriculture in North Dakota. Rainstorms are becoming more intense and annual rainfall is increasing. In the coming decades, longer growing seasons are likely to create opportunities for farmers.

Warmer temperatures have extended the growing season by about 30 days since the beginning of the 20th century, and increasing rainfall may benefit some farms but increase the risk of flooding. One of the wettest years in North Dakota on record was 2011, when the Souris River near Minot crested at 4 feet above its previous record, with a flow five times greater than any in the past 30 years. Flooding also occurred throughout the state. Conversely, droughts are likely to become more severe in downstream states. When droughts lower water levels enough to impair navigation, the USACE releases water from the upstream dams, making less water available to North Dakota (EPA 2016).

Currently, the primary GHG emission sources contributing to climate change from the Dunseith LPOE include electricity use (monthly averages of 13,673 kW in 2021 and 15,233 kW in 2022), propane used as a heating source, and vehicle emissions from vehicles passing through inspection lanes and facilities. The existing Dunseith LPOE infrastructure is antiquated and energy inefficient, including the building envelope's mechanical, electrical, and plumbing systems, resulting in a higher energy use than more modern energy-efficient buildings and infrastructure.

3.4.2 Environmental Consequences

3.4.2.1 Methods and Assumptions

Project impacts on air quality and climate change were qualitatively assessed using publicly available data, studies, and reports on air quality and climate change such as the EPA's *What Climate Change Means for North Dakota* (2016); and guidance documents including the EPA's *Sources of Greenhouse Gas Emissions* (2019).

3.4.2.2 Alternative A – Construct New Facilities (Proposed Action)

3.4.2.2.1 Air Quality

Under Alternative A, construction vehicles and traffic delays may cause increased vehicle emissions and fugitive dust in the project area over the short-term. Construction activity is a source of dust and exhaust emissions that can have direct temporary adverse impacts on local air quality (i.e., exceed the NAAQS for O_3, CO, PM_{10}, and $PM_{2.5}$). Temporary construction emissions would result from processes related to demolition, grading/excavation, and paving activities. Pollutant emissions would vary daily, depending on the type and level of activity and weather conditions. It is anticipated that construction activities associated with Alternative A would take place over two years.

During construction, direct short-term adverse impacts on air quality may occur due to the release of particulate emissions (i.e., fugitive dust) generated by demolition, grading, hauling, and other activities. Emissions from construction equipment are anticipated and would include CO, nitrogen oxides (NO_X), volatile organic compounds (VOCs), PM_{10}, and $PM_{2.5}$.

Under Alternative A, construction-related effects on air quality would be greatest during the demolition phase as these activities temporarily generate PM_{10}, $PM_{2.5,}$ and small amounts of CO, SO_2, NO_X, and VOCs. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Vehicles leaving the construction site could deposit mud on local streets, which could be an additional source of fugitive dust after it dries.

PM_{10} emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. $PM_{2.5}$ emissions would be contingent on soil moisture, silt content of soil, wind speed, and the amount of equipment operating. Larger dust particles would settle near the source, while fine particles would be dispersed from the construction site over greater distances.

In addition to dust-related emissions, trucks and construction equipment powered by gasoline and diesel engines would generate exhaust emissions including CO, SO_2, NO_X, VOCs, and some particulates (PM_{10} and $PM_{2.5}$). Construction activities may cause traffic delays and increased congestion in the area, which would result in slight increases in CO and other emissions. These emissions would be temporary and limited to the immediate area surrounding the construction site.

Overall, Alternative A would have direct short-term site-specific minor impacts on air quality during construction from construction vehicles, particulate dust, and vehicle idling.

GSA would require contractors to use the best available technology regarding construction equipment, to the extent possible, to minimize and/or mitigate vehicle emissions. Dust suppression would be used onsite to control particulates. Trucks carrying loads of soils would be required to cover the loads. Vehicle emissions would likely remain the same over the long-term and would have no additional effect on air quality in and around the project area. Because expansion of the facility is not likely to increase traffic at the Dunseith LPOE, no impacts on air quality associated with increased traffic, idling vehicles, and queued traffic are expected over the long-term. Traffic volumes through the Dunseith LPOE are not anticipated to increase as a result of site improvements. Better traffic flows from improved vehicle processing times under Alternative A may result in less vehicle idling and have a beneficial effect on air quality.

3.4.2.2.2 Climate Change

Construction activities associated with Alternative A would generate direct GHG emissions, but such increases would be local, short-term, and minor. As discussed in Section 2.1, facility and infrastructure improvements proposed under Alternative A would incorporate sustainable climate-resilient design following the P100 standards for facilities design (GSA 2021). In addition, renewable energy sources would be considered for viability and feasibility as the design progresses. Over the long-term, Alternative A would have indirect long-term beneficial effects on climate change as facilities would be more energy efficient and would produce lower GHG emissions from energy usage and energy loss. The new buildings would also be less susceptible to damage from extreme weather or other climatic events. In addition, improved traffic flow would result in decreased vehicle idling time, resulting in a beneficial effect on climate change. It should be noted that any improvements in GHG emissions under Alternative A would provide an incremental benefit on a local scale but would not substantially contribute to reductions in GHG emissions on a regional, national, or global scale.

Long-term effects of climate change may impact resources in the project area by contributing to extreme weather events, which can result in road and building damage and wildlife habitat damage through wildfires or flooding.

3.4.2.3 Alternative B – Construct Smaller or Fewer Facilities

Impacts on air quality and climate change under Alternative B would be the same as described under Alternative A as there would be direct short-term minor adverse construction emissions. Improved traffic flow would result in decreased vehicle idling time, resulting in a beneficial effect on climate change. Also, newly constructed buildings and retrofitting the existing main building with energy-efficient features would produce lower GHG emissions with greater energy efficiency, resulting in a beneficial effect on climate change. The new buildings would also be less susceptible to damage from extreme weather or other climatic events. The adverse and beneficial effects would be incremental and on a local scale only.

3.4.2.4 Alternative C – No Action

Under the No Action Alternative, current facilities at the Dunseith LPOE would remain and sustainability and climate-resilient upgrades would not be implemented. Thus, inefficient traffic flows would result in increased emissions over time, and the existing facilities would be more susceptible to damage from extreme weather or other climatic events and would have an indirect long-term negligible effect on climate change.

3.5 Land Use Planning and Zoning

3.5.1 Affected Environment

The project area is located in unincorporated Rolette County, North Dakota. The Dunseith LPOE is developed and bisected by U.S. Route 281. The project area is largely comprised of Dunseith LPOE facilities, including buildings, paved vehicle travel lanes, and paved access roads. Surrounding land includes a mix of developed and undeveloped uses. The IPG Airport is east of the Dunseith LPOE, the Canadian LPOE is to the north, and the IPG is to the west. The U.S. Route 281 ROW is south of the Dunseith LPOE. Undeveloped agricultural areas are also located to the south and southeast of the Dunseith LPOE.

The Rolette County Zoning Ordinance defines land use by zones and districts (Rolette County 2022). According to the Zoning Ordinance, Rolette County is broken out into different zones by geography and townships. The northwest portion of Rolette County is designated as Zone 1 (Rolette County 2022). The existing Dunseith LPOE does not have a designated zoning district because it is the property of the U.S. Federal Government (Belgarde pers. comm. 2022). However, the area surrounding the Dunseith LPOE is in the Agricultural District, including the proposed acquisition area shown on Figure 3 above (Belgarde pers. comm. 2022). Land designated in the Agricultural District may be used for agricultural purposes, which is defined as “[…] agriculture, farming, dairying, pasturage, horticulture, and animal and poultry husbandry […] The minimum requirements for an agriculture classification shall be 10 acres of land, with the owner making at least 50% of his income from agriculture” (Rolette County 2022).

3.5.2 Environmental Consequences

3.5.2.1 Methods and Assumptions

Impacts on land use planning and zoning that may occur from the project were qualitatively analyzed using local and regional land use planning and zoning data, and considered previous, current, and

potential future land uses. In addition, state/local officials were consulted about zoning and land use considerations in the project area (40 CFR 3312).

3.5.2.2 Alternative A – Construct New Facilities (Proposed Action)

Under Alternative A, up to 2.31 acres of land from various landowners to the south and east of the Dunseith LPOE would be acquired (currently in the Agricultural District, as described above). Given the proximity of the area to U.S. Route 281 and the Dunseith LPOE, the area has not been used for agricultural purposes in recent history and does not meet the minimum requirements for an agriculture classification (i.e., 10 acres) under the Rolette County Zoning Ordinance. Use of the proposed acquisition area would primarily be for transportation and would include striped traffic, parking, or travel lanes.

During public review of the Draft EA, the North Dakota Aeronautics Commission expressed concerns regarding the project on operations at the IPG Airport. Potential requirements and impacts from the project include the following:

- Indirect local long-term minor impacts on the IPG Airport's departure, approach, and runway protection zone surfaces. The newly proposed buildings may require clearances through an FAA *Obstruction Evaluation and Airport Airspace Analysis* due to the proximity of the airport.
- Changes in ROW access to the IPG Airport, which may result in direct local short-term minor impacts on access.
- Possible land acquisition of a portion of the IPG Airport property, which is overlapped by the project area (see Figure 6) and may result in direct local long-term minor impacts on land use.
- Potential direct local short-term minor impacts on the existing pedestrian walkway from the airport apron to the Dunseith LPOE, which is also overlapped by the project area.
- The proposed stormwater detention pond for the project may attract wildlife and present potential wildlife hazards to aircraft operations at the adjacent IPG Airport, resulting in indirect local long-term minor impacts on aircraft operations.

GSA would coordinate with the FAA with regard to the *Obstruction Evaluation and Airport Airspace Analysis* to address impacts on the IPG Airport's surfaces, and the FAA Advisory Circular 150/5200-33C to minimize and/or mitigate potential wildlife impacts on flight operations. For example, the FAA Advisory Circular recommends the use of steep-sided riprap or concrete-lined, narrow, linear-shaped stormwater detention ponds to control hazardous wildlife (FAA 2020). GSA would also coordinate with the FAA on potential modifications to the pedestrian walkway.

GSA is also working with NDDOT and other landowners on ROW access (see Section 3.9, *Traffic and Transportation*), pending title work. Although the land use or zoning of NDDOT property would not change, impacts may include traffic delays and temporary U.S. Route 281 lane closures.

Overall, there would be direct local minor effects on land use because of road and pedestrian walkway construction detours during the short-term and potential property easements or acquisitions over the long-term. As design progresses and disturbance areas are refined, GSA would continue to work with landowners to identify ROW impacts and would 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.

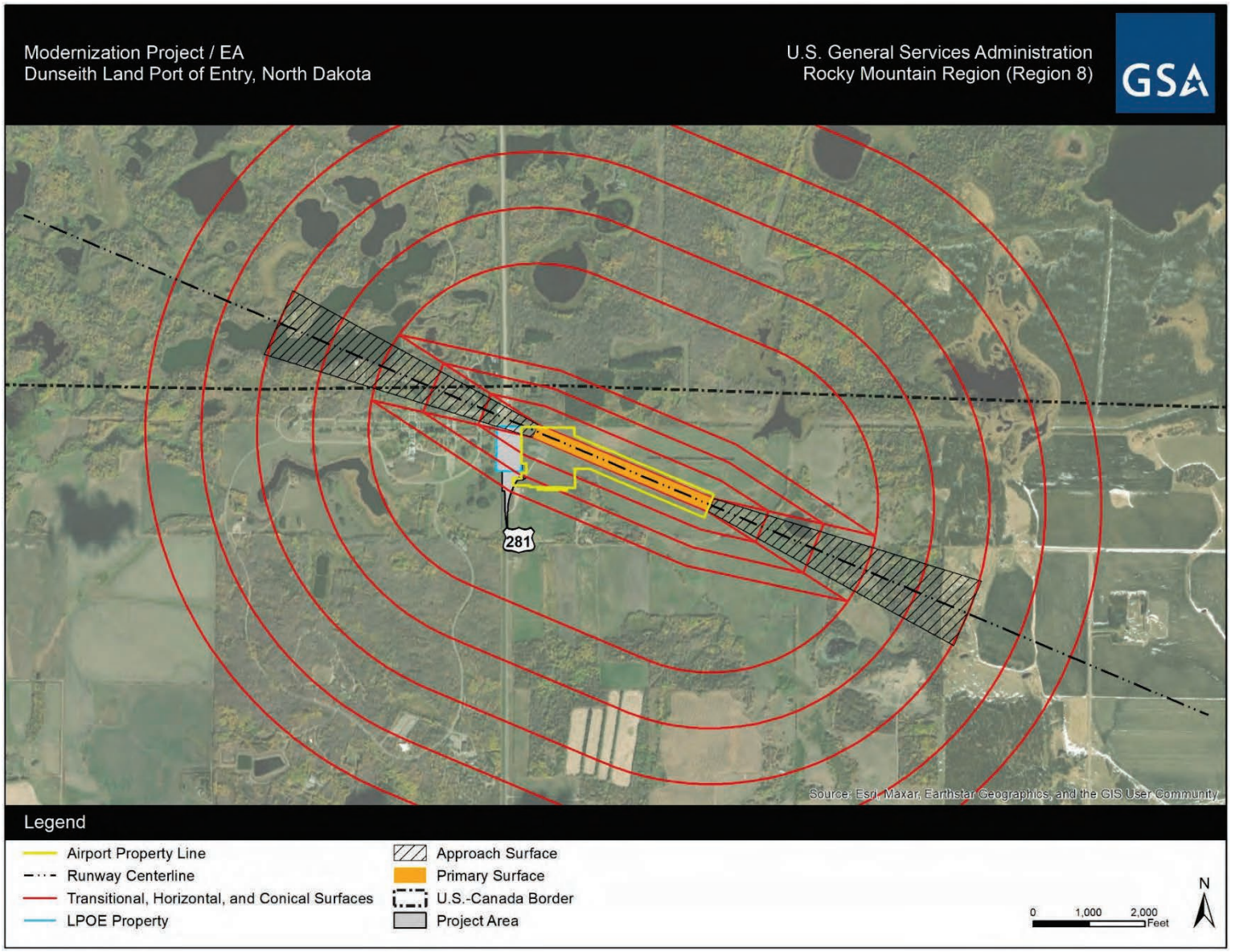
3.5.2.3 Alternative B – Construct Smaller or Fewer Facilities

Under Alternative B, land acquisition would be the same as Alternative A. Although there would be less construction and ground disturbance under Alternative B, land use impacts would be the same as described under Alternative A.

3.5.2.4 Alternative C – No Action

Under the No Action Alternative, current facilities at the Dunseith LPOE would remain and no ground disturbance from new facility construction or other infrastructure would occur. Therefore, no impacts on the existing land uses would occur.

FIGURE 6. IPG AIRPORT SURFACES RELATIVE TO THE DUNSEITH LPOE



3.6 Environmental Justice

EO 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” issued in 1994, directs federal agencies to take the appropriate and necessary steps to identify and address disproportionately high and adverse effects of federal projects on the health or environment of minority and low-income populations to the greatest extent practicable and permitted by law. The EO is in response to Title VI of the Civil Rights Act of 1964 which states: “No person in the U.S. shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

An EJ assessment requires an analysis of whether minority and low-income populations (i.e., populations of concern) would be disproportionally affected by a proposed federal action. GSA’s Environmental Justice Strategy (Fiscal Years 2016 – 2018) guides the agency in addressing EJ by integrating the principles of EJ into GSA’s programs and activities (GSA 2016). This analysis follows the guidance in the GSA PBS NEPA Desk Guide (GSA 1999). The GSA guidance defines a minority population as one that has a meaningfully greater minority population and/or if the minority population of the affected area exceeds 50 percent (GSA 1999) (note that the term “meaningfully” applies to the site-specific context of the project area, such as total population, socioeconomic conditions, and other factors).

3.6.1 Affected Environment

The project area is in Census Block Group 2, Census Tract 9517, in Rolette County. A Census block group is a geographical unit used by the U.S. Census Bureau that is larger than a block (the smallest geographical unit) and a Census tract. Portions of the Turtle Mountain Reservation overlap Census Block Group 2 (Figure 7). The proportion of people identifying as American Indian and Alaska Native in Census Block Group 2 is nearly 70 percent higher than the proportion in the state due to the proximity to the Turtle Mountain Reservation. Rolette County has a slightly higher proportion of American Indian and Alaska Native population than Census Block Group 2 near the project area, with 78.3 percent. However, locations near the project area have a meaningfully greater minority population than the state of North Dakota (Table 6).

FIGURE 7. ENVIRONMENTAL JUSTICE POPULATIONS

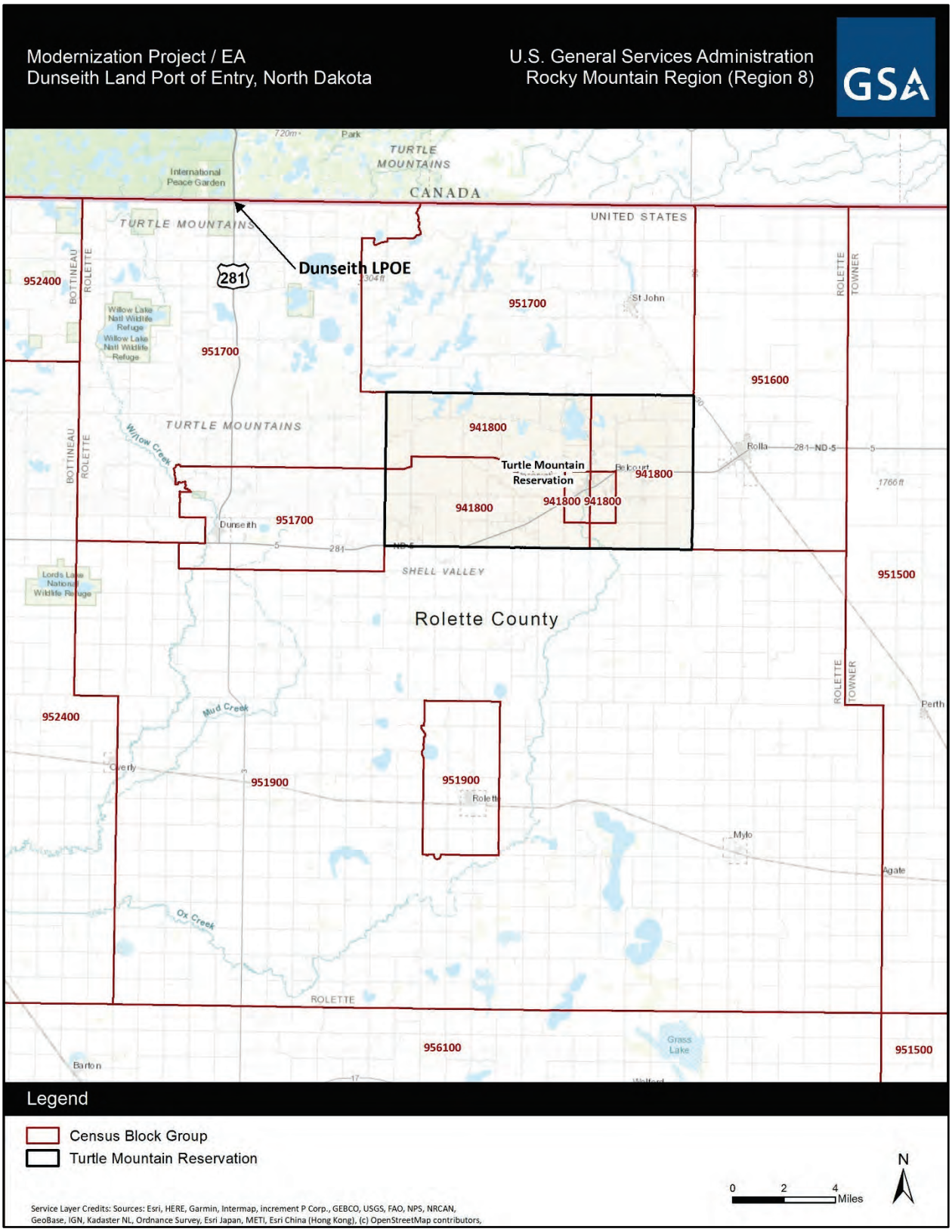


TABLE 6. CENSUS RACIAL CHARACTERISTICS OF NORTH DAKOTA, ROLETTE COUNTY, AND CENSUS BLOCK GROUP 2 NEAR THE PROJECT AREA (PERCENT OF POPULATION).

Location	Total	White (percent)	Black (percent)	American Indian and Alaska Native (percent)	Asian (percent)	Native Hawaiian and Other Pacific Islander (percent)	Some Other Race (percent)	Two or More Races (percent)
Census Block Group 2, Census Tract 9517, Rolette County, North Dakota	1,392	20.8	0.00	75.4	0.00	0.00	0.00	3.8
Rolette County, North Dakota	14,511	18.2	0.6	78.3	0.1	0.00	0.3	2.5
North Dakota	756,717	86.6	2.9	5.3	1.5	0.1	1.1	2.6

Source: U.S. Census 2019, Table B02001.

Neither Census Block Group 2 near the project area nor the county has a meaningfully greater Hispanic or Latino population than the county and the state. The greatest proportion of the population identified as American Indian and Alaska Native alone, Not Hispanic or Latino (Table 7).

TABLE 7. U.S. CENSUS ETHNICITY CHARACTERISTICS OF NORTH DAKOTA, ROLETTE COUNTY, AND CENSUS BLOCK GROUP 2 NEAR THE PROJECT AREA (PERCENT OF POPULATION).

Location	Total	White, Not Hispanic or Latino (percent)	American Indian and Alaska Native alone, Not Hispanic or Latino (percent)	Hispanic or Latino (percent)
Census Block Group 2, Census Tract 9517, Rolette County, North Dakota	1,392	20.8	75.4	0.0
Rolette County, North Dakota	14,511	18.1	78.0	0.6
North Dakota	756,717	84.4	5.1	3.7

Source: U.S. Census 2019, Table B03002.

Median household income for Rolette County (in 2015 dollars) was $33,277, nearly $24,000 less than the state of North Dakota median household income of $57,181 (U.S. Census 2019). The unemployment rate estimate is 4.8 percent in Rolette County and 2.9 percent for the state (U.S. Census 2019). The proportion of the population in Rolette County below the poverty level is nearly three times the proportion of the population in the state below the poverty level (27.1 percent for Rolette County and 10.7 percent for the state) (U.S. Census 2019).

Data from the Climate and Economic Justice Screening Tool were also gathered. The purpose of the tool is to help federal agencies identify disadvantaged communities that are marginalized, underserved, and overburdened by pollution, as directed by EO 14008, “Tackling the Climate Crisis at Home and Abroad.” The tool provides socioeconomic, environmental, and climate information to inform decisions that may affect disadvantaged communities (CEQ 2022). The tool provides data at the Census tract level, which is much larger than the project area. Inferences about the project area and project impacts were made from these data.

Data from CEQ's Climate and Economic Justice Screening Tool indicates that the Census tract is considered a disadvantaged community (CEQ 2022). The area is in the 84th percentile for households with income less than or equal to twice the federal poverty level and the 96th percentile for people over the age of 15 not enrolled in college, university, or graduate school (CEQ 2022). The area has higher health disparities including residents above the 90th percentile for asthma, diabetes, and heart disease (CEQ 2022).

Data from the Environmental Protection Agency's (EPA) Environmental Justice Screening and Mapping Tool indicate that the Census block group has several critical service gaps. The Census block group is in the 93rd percentile for limited broadband and is defined by the EPA as a medically underserved area. Medically underserved areas or populations are designated by the U.S. Health Resources & Services Administration as having too few primary care providers, high infant mortality, high poverty, or a high elderly population (EPA 2022d).

The tool also assesses climate risk via three measures – expected agriculture loss rate, expected building loss rate, and expected population loss rate. The area is in the 37th percentile for expected agriculture loss, 81st percentile for expected building loss, and 90th percentile for expected population loss (CEQ 2022). The area is in the 98th percentile for energy burden, which is measured by the average annual energy costs divided by household income. The Climate and Economic Justice Screening Tool also indicates that the residents near the project area are not in proximity to hazardous waste facilities or known polluted areas, and generally have good air quality (i.e., lower levels of fine particulate matter) (CEQ 2022).

3.6.2 Environmental Consequences

3.6.2.1 Methods and Assumptions

For this analysis, minority includes all racial groups other than white, not Hispanic, or Latino. GSA guidance defines low-income populations as "…one identified with the Bureau of Census Series P60 statistical poverty threshold." The U.S. Census Bureau releases raw data (i.e., data tables) and publications that summarize various data tables. The Consumer Income (P60) Publication Series is information concerning families, individuals, and households at various income levels is presented in this group of reports.

To identify potential minority populations, Census block group level data were compared to reference communities including Rolette County and the state of North Dakota. Due to the rural nature of the project area, the Census block group covers a much larger area than the defined project area and inferences about the project area were made from the Census block group data.

Low-income data at the Census block group level were not available. Data for Rolette County were collected and inferences about the project area and project impacts were made.

3.6.2.2 Alternative A – Construct New Facilities (Proposed Action)

Construction of Alternative A could result in direct short-term minor beneficial impacts on the local economy. These short-term effects would occur during construction and would be mostly limited to a slight increase in the construction work force and beneficial impacts from associated spending in the local community. Construction would provide up to 250 construction personnel temporary employment for approximately two years (contingent on weather and other site constraints).

Construction personnel would primarily use temporary housing at motels, hotels, or short-term rentals in the vicinity of the project area, although some workers may be local and would use their own residences. No long-term population and housing effects are anticipated under Alternative A because no increases in personnel at the Dunseith LPOE are expected. A continuation of the existing demand for housing is expected.

It is anticipated that workers would spend a portion of their income in the local communities on meals and lodging, resulting in an incremental beneficial effect on local businesses during construction. These impacts would be short-term and end after construction is completed.

Alternative A is not expected to result in any change to existing income, education, health, or energy burden disparities. As discussed in Section 3.4.2, no impacts on air quality associated with increased traffic, idling vehicles, or queued traffic are expected over the long-term. Construction activities would generate GHG emissions, but such increases would be direct, local, short-term, and minor. Alternative A would incorporate sustainable climate-resilient design following the P100 standards for facilities design (GSA 2021). In addition, renewable energy sources would be considered for viability and feasibility as the design progresses. Over the long-term, Alternative A would have beneficial effects on the local community as facilities would be more energy efficient, would produce lower GHG emissions, and would be more resilient to the effects of extreme weather and other climatic events.

No changes to existing critical services such as medical and emergency services, or other critical services would occur under Alternative A.

Due to the limited scope of Alternative A, and the rural nature of the project area, the potential for unknown or uncertain impacts is low. Overall, Alternative A would not result in disproportionally high and adverse effects on minority and low-income populations in the vicinity of the project area.

3.6.2.3 Alternative B – Construct Smaller or Fewer Facilities

Impacts under Alternative B on the local economy would be the same as described under Alternative A.

3.6.2.4 Alternative C – No Action

Under the No Action Alternative, current facilities at the Dunseith LPOE would remain and no changes would occur. The beneficial effects of increased jobs and local spending during construction would not occur. The No Action Alternative would not result in disproportionally high and adverse effects on minority and low-income populations in the vicinity of the project area.

3.7 Environmental Contamination and Waste Management

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) was enacted by Congress in 1980. CERCLA provides authority to the U.S. Federal Government to respond directly to releases and threatened releases of hazardous substances that have the potential to endanger public health or the environment. Section 312 of CERCLA (40 CFR 312) provides standards and practices for EPA's "all appropriate inquiries" (AAI) for the purposes of CERCLA Sections 101(35)(B)(i)(1), 101(35)(B)(ii), and 101(35)(B)(iii). An AAI is the process for evaluating the environmental conditions of a property and assessing who is potentially liable for any contamination. A Phase I Environmental Site Assessment (Phase I ESA) meets the requirements of

an AAI and the "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" (ASTM International E1527-13 2013) (ASTM 2013a).

3.7.1 Affected Environment

A Phase I ESA was conducted for the Dunseith LPOE in June 2022 (ERO 2022b) to identify recognized environmental conditions associated with the project area, which are defined as the following:

> The presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment (ASTM 2013b).

The Phase I ESA identified four fuel oil USTs (three 2,000-gallon and one 10,000-gallon); a historical diesel spill that occurred in the project area; and retail-sized containers of petroleum products, automotive fluids, and cleaners stored on shelves and flammables cabinets in the Residence No. 4 being used as a maintenance office and in the secondary inspection garage. In addition, a pad-mounted electrical transformer was observed in the northeast portion of the project area.

The documents provided by NDDEQ and GSA, which include an April 10, 1986, UST Notification form and a September 16, 1994, UST Removal Form, are not conclusive regarding the current location and condition/status of the historical USTs in the project area, aside from the 10,000-gallon UST that was removed from the project area in September 1994 (North Dakota Department of Health [NDDH] 1994). The historical diesel spill was reported and cleaned up immediately and the NDDH issued a No Further Action letter on July 25, 2017 (NDDH 2017). No indications of leaks or spills were observed in the vicinity of the containers or the transformer (ERO 2022b).

According to the 2009 feasibility study conducted for the Dunseith LPOE, asbestos surveys were performed on the main port building, storage building, and the USFWS building (The Louis Berger Group and Hill International 2009). The main port building and USFWS building reportedly contain asbestos-containing materials (ACMs). The storage building contains an emergency generator that is suspected to contain asbestos (The Louis Berger Group and Hill International 2009). In addition, a 2018 Asbestos Re-Inspection Report for Residence No. 4 and the main port building indicated that ACMs are present in these structures (Legend Technical Services, Inc. 2018a, 2018b).

3.7.2 Environmental Consequences

3.7.2.1 Methods and Assumptions

Results of the Phase I ESA conducted in 2022 (ERO 2022b), personal communications with GSA personnel, and other publicly available data were used to assess the environmental contamination and waste management impacts associated with the action alternatives and No Action Alternative.

3.7.2.2 Alternative A – Construct New Facilities (Proposed Action)

Due to the unknown condition of the historical fuel oil USTs, soil and groundwater contamination could be encountered during the excavation work under Alternative A. A geophysical survey would be conducted by GSA prior to alternatives design to locate the historical fuel oil tanks potentially occurring in the project area. In addition, to ensure the safety of construction contractors and

employees, GSA would develop a MMP prior to construction for the proper handling and disposal of any unanticipated hazardous substances or petroleum products encountered during construction. A pre-alteration assessment for asbestos and lead would be completed prior to alternatives design and demolition of the structures, and ACMs would be abated from any buildings planned for demolition by a licensed asbestos abatement professional, as required by federal and state law.

With implementation of a geophysical survey, MMP, and asbestos abatement prior to construction activities, environmental contamination and waste management impacts are anticipated to be indirect, short-term, site-specific, and minor. However, Alternative A would have long-term site-specific beneficial effects following the removal or remediation of the historical fuel oil USTs (if needed) and asbestos abatement.

3.7.2.3 Alternative B – Construct Smaller or Fewer Facilities

Impacts under Alternative B would be similar to those described under Alternative A, but there would be less ground disturbance and less building demolition because fewer new facilities would be constructed. There would be less risk of uncovering buried contamination and less need for ACM abatement.

Mitigation measures described under Alternative B would be the same as Alternative A, including a geophysical survey, MMP, and asbestos abatement.

Environmental contamination and waste management impacts are anticipated to be indirect, short-term, site-specific, and minor under Alternative B with implementation of the same mitigation measures described under Alternative A. Alternative B would also have indirect long-term site-specific beneficial effects following the removal or remediation of the historical fuel oil USTs (if needed) and asbestos abatement.

3.7.2.4 Alternative C – No Action

Under the No Action Alternative, current facilities at the Dunseith LPOE would remain and no ground disturbance from new facility construction or other infrastructure would occur; therefore, impacts on potentially unknown or buried environmental contamination and waste management impacts would not occur; however, the historical USTs in unknown locations would be left in place and not addressed, resulting in an indirect long-term site-specific minor impact.

3.8 Safety and Security

3.8.1 Affected Environment

The Dunseith LPOE has varying levels of safety and security measures depending on the agency occupant, building, and visiting vehicle type, as summarized below.

Vehicle Inspections

Inbound noncommercial vehicles traveling south from Canada are directed to the two canopy inspection lanes with booths, located adjacent to the main building (Figure 2 in Section 1.3) (CBP 2019). Noncommercial vehicles that pass inspection proceed south on U.S. Route 281. Vehicles failing the primary inspection must pass a secondary inspection, located at the inspection garage south of the main building, or make a U-turn immediately south of the main building and return to Canada (Figure 2 in Section 1.3) (CBP 2019).

No outbound (northbound) inspection booths or canopies are located at the Dunseith LPOE. If requested by the Canada Border Services Agency or CBP, temporary roadblocks can be installed on the northbound lanes of U.S. Route 281.

Building Security

The Dunseith LPOE was last renovated nearly 50 years ago and is obsolete in terms of CBP's operational protocols. The Dunseith LPOE lacks modern security system technology, adequate processing and holding facilities, and other vital safety features. Improvements to the Dunseith LPOE have been made sporadically, creating serious cross-traffic conflicts and security issues inside the buildings, as well as on the site.

Emergency Services

CBP provides security services at the Dunseith LPOE. The Dunseith LPOE is served by the Rolette County Sheriff's Office, Dunseith Emergency Response Center (ERC), and also by a network of rural volunteer fire departments, coordinated at the state level (Schumaier pers. comm. 2022). The nearest hospitals include the Quentin N. Burdick Memorial Hospital, located in Belcourt, North Dakota (26 miles southeast of the Dunseith LPOE) and SMP Health – St. Andrew's in Bottineau, North Dakota (30 miles southwest of the Dunseith LPOE).

3.8.2 Environmental Consequences

3.8.2.1 Methods and Assumptions

Data provided by GSA on the disposition of existing security measures at the Dunseith LPOE, publicly available data, and personal communications were used to analyze impacts of the action alternatives and No Action Alternative on safety and security.

3.8.2.2 Alternative A – Construct New Facilities (Proposed Action)

Vehicle Inspections

Under Alternative A, the efficiency and safety of vehicle inspections would improve after construction over the long-term. The addition of two new inspection lanes with permanent booths, a new noncommercial secondary inspection area, as well as a separate commercial vehicle inspection building and dedicated commercial inspection staging area would improve CBP's and APHIS's inspection efficiency and inspectors' safety.

Construction of Alternative A would be phased, as described in Section 2.2.1.5. Commercial and noncommercial vehicle inspections would occur at the temporary inspection areas during construction. The temporary inspection areas would likely be smaller than the existing areas, making inspections less efficient. Signs, barriers, and traffic cones would 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 unknown at this time and would be finalized during the design process. Impacts on vehicle inspections would be direct, local, short-term, and minor during construction and beneficial over the long-term.

Building Security

The larger and more modern facilities under Alternative A would allow CBP to perform their inspections and duties, meeting CBP safety and security protocols and resulting in beneficial effects on security over the long-term.

Emergency Services

No changes to existing emergency services would occur under Alternative A.

3.8.2.3 Alternative B – Construct Smaller or Fewer Facilities

Vehicle Inspections

Under Alternative B, the efficiency and safety of vehicle inspections would improve, as described under Alternative A.

Building Security

Similar to Alternative A, the larger and more modern facilities under Alternative B would allow CBP to perform their inspections and duties, meeting CBP safety and security protocols.

Emergency Services

No changes to existing emergency services would occur under Alternative B.

3.8.2.4 Alternative C – No Action

Under the No Action Alternative, CBP would remain in the current facilities and no changes to the Dunseith LPOE would occur. The efficiency and safety of vehicle inspections would not change, and security measures would not follow current CBP standards. No changes to existing security or emergency services would occur and existing safety issues would remain.

3.9 Traffic and Transportation

3.9.1 Affected Environment

The Dunseith LPOE is located on U.S. Route 281, a two-lane highway that runs north and south. An unnamed 26-foot-wide access road located about 270 feet south of the main building provides access to the CBP shed, USFWS/Madison building, GSA storage area, and propane tanks (Figure 2 in Section 1.3). Another unnamed access road located about 510 feet south of the main building provides access to the IPG Airport. Peace Garden Boulevard is about 340 feet north of the main building and provides access to the IPG.

The IPG Airport, owned and managed by the North Dakota Aeronautics Commission, is located just east of the project area. The airport consists of a runway with no other buildings or structures (AirNav 2022). Figure 6 in Section 3.5.2 illustrates the proximity of the IPG Airport surfaces relative to the Dunseith LPOE.

Given the rural location of the Dunseith LPOE, traffic at the Dunseith LPOE is low with few major congestion problems (CBP 2019), although traffic volumes are higher relative to traffic volumes when the Dunseith LPOE was originally designed and constructed. Traffic is generally higher during the summer months and some congestion can occur due to the arrival and departure of summer

camp guests at the IPG (Schumaier pers. comm. 2022). Historic traffic data reveal that privately owned vehicles account for nearly two-thirds of the traffic at the Dunseith LPOE (Zach pers. comm. 2022). Traffic data from fiscal year 2020 show a substantial decline in privately owned vehicles due to the COVID-19 pandemic travel restrictions (Table 8).

TABLE 8. DUNSEITH LPOE TRAFFIC DATA FISCAL YEAR 2017-2020.

Fiscal Year	Privately Owned Vehicles	Trucks
2020	24,109	24,814
2019	52,379	25,268
2018	54,833	27,678
2017	49,646	23,974

Source: Zach pers. comm. 2022.

3.9.2 Environmental Consequences

3.9.2.1 Methods and Assumptions

Local traffic data, site mapping, and other publicly available data were used to analyze impacts on traffic and transportation for the action alternatives and No Action Alternative.

3.9.2.2 Alternative A – Construct New Facilities (Proposed Action)

Under Alternative A, impacts on traffic would occur during construction. These impacts may include traffic delays and temporary U.S. Route 281 lane closures. Traffic delays would occur during traffic detours to avoid active construction areas, or during the use of temporary inspection areas, as described in Section 2.2.1.4. Temporary road or lane closures of U.S. Route 281 may occur during building demolition and facility construction. No full closures of U.S. Route 281 are expected under Alternative A. There would be direct local short-term minor impacts on traffic and transportation because of detours and traffic delays.

As design of the project progresses, GSA, in coordination with NDDOT and FAA, would create a traffic management plan that would outline the anticipated timing, duration, and proposed phasing of any travel lane closures, traffic detours, and temporary inspection areas. This plan would also describe the potential impacts on the nearby access roads and Peace Garden Boulevard during construction and any mitigation measures. Impacts on the IPG Airport are described above in Section 3.5, *Land Use Planning and Zoning*.

While Alternative A would expand the Dunseith LPOE, the expansion is not expected to result in an increase of Dunseith LPOE employees. Similarly, due to the rural location of the Dunseith LPOE, this alternative is not expected to noticeably increase vehicle quantity (CBP 2019). Overall, Alternative A would improve vehicle circulation at the Dunseith LPOE.

3.9.2.3 Alternative B – Construct Smaller or Fewer Facilities

Impacts under Alternative B would be the same as described under Alternative A.

3.9.2.4 Alternative C – No Action

Under the No Action Alternative, current facilities at the Dunseith LPOE would remain and no ground disturbance from new facility construction or other infrastructure would occur; therefore, no impacts on the existing roads and traffic conditions would occur in the short-term; however, the inefficient

traffic flow could worsen if vehicle volumes increase over the long-term resulting in direct local minor impacts on traffic.

3.10 Cumulative Effects

CEQ regulations require federal agencies to assess the cumulative effects of federal projects during the decision-making process. Cumulative impacts result "from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time." (40 CFR 1508.7). This section describes the cumulative impacts that the alternatives, combined with other projects in the area, may have on the environment.

3.10.1 Reasonably Foreseeable Future Actions

GSA identified two reasonably foreseeable future actions that would contribute to cumulative impacts in combination with the project impacts described for each resource above. These actions are described below.

3.10.1.1 Transitioning to Tribal Water

Currently, the IPG provides water to the Dunseith LPOE. The IPG water supply infrastructure is aging and, as such, GSA and CBP are investigating the possibility of transitioning to the Turtle Mountain Water System. If the Dunseith LPOE were to transition to this water system, the water line would be connected at the existing connection point near the IPG. This action is being considered separately from the Dunseith LPOE Modernization Project, from a separate funding source. The water supply transition may result in negligible ground disturbance associated with boring, trenching, or replacing pipes/valves, although the work would likely occur in previously disturbed areas.

3.10.1.2 Maintenance Activities

Regular maintenance activities would continue during construction of the new facilities, which may result in negligible ground disturbance. These activities would include, but are not limited to, the following:

- Repair and alteration projects in accordance with the facility master plans.
- Procurement contracts for professional services and supplies.
- Real property inspections for compliance needs.

3.10.2 Cumulative Effects

Table 9 describes the cumulative effects for each resource analyzed in this Final EA.

TABLE 9. CUMULATIVE EFFECTS.

Resource	Cumulative Effects
Geology, Topography, and Soils	There would be a short-term negligible adverse effect on geology, topography, and soils in the project area from the Dunseith LPOE effort to transition to the Turtle Mountain Water System because there would be little ground disturbance. There may be minor ground disturbance from maintenance activities such as repair projects on the grounds. Combined with the implementation of mitigation measures under the action alternatives, there would be short-term negligible cumulative effects on geology, topography, and soils.

Resource	Cumulative Effects
Vegetation and Wetlands	There would be a short-term negligible adverse effect on vegetation and potential wetlands in the project area from the Dunseith LPOE effort to transition to the Turtle Mountain Water System because there would be little ground disturbance. There may be negligible ground disturbance from maintenance activities such as repair projects on the grounds. When combined with impacts from the action alternatives and reasonably foreseeable future actions, vegetation impacts would be short-term and minor because the removal of vegetation would be in primarily landscaped or previously developed areas. Alternatives A and B would also include grading activities in the wetland swales; however, the quantity of wetlands impacted would result in short-term minor impacts when compared to the overall wetland habitat in the surrounding area.
Cultural and Historical Resources and Indian Sacred Sites and Indian Trust Resources	There would be no effect on cultural and historical resources from the Dunseith LPOE effort to transition to the Turtle Mountain Water System because there would be little ground disturbance. There may be minor ground disturbance from maintenance activities such as repair projects. There would be no potential for project-specific impacts on historic properties from the action alternatives; GSA is engaged in ongoing tribal consultation to determine if effects on Indian Sacred Sites or Indian Trust Resources would be affected by the project and would mitigate any adverse effects in compliance with Section 106; therefore, the project would not contribute to adverse cumulative impacts on cultural and historical resources.
Air Quality and Climate Change	There would be a negligible effect on air quality and climate change from the Dunseith LPOE effort to transition to the Turtle Mountain Water System from construction equipment such as an excavator or other installation equipment. Maintenance activities would have a negligible effect on local air quality from the use of construction equipment because the use of such equipment would be short-term and site-specific. The action alternatives would contribute to short-term minor cumulative impacts on air quality in the project area during construction due to construction vehicle emissions.
Land Use Planning and Zoning	There would be no change in land use and zoning from the Dunseith LPOE effort to transition to the Turtle Mountain Water System because the transition would take place at the same location as the existing water connection and there would be no change in land use. There would be long-term minor cumulative effects on land use and zoning when combined with impacts from either of the action alternatives because of the potential for property easements or acquisitions.
Environmental Justice	There may be a minor beneficial effect on EJ communities from the Dunseith LPOE effort to transition to the Turtle Mountain Water System because it is assumed that the Turtle Mountain Tribe would be compensated for water use. Combined with the beneficial effects of the action alternatives on EJ populations due to construction jobs and increased local spending, cumulative effects on EJ populations would be short-term, minor, and beneficial.
Environmental Contamination and Waste Management	There would be a short-term negligible effect on environmental contamination and waste management in the project area from the Dunseith LPOE effort to transition to the Turtle Mountain Water System because there would be little ground disturbance. There may be minor ground disturbance from maintenance activities such as repair projects. With the implementation of mitigation measures to address the historical USTs and potential environmental contamination, the action alternatives would contribute to short-term minor and long-term beneficial cumulative effects.
Safety and Security	There would be negligible effects on site safety and security from the Dunseith LPOE effort to transition to the Turtle Mountain Water System. The reconstructed LPOE would install new pipes in/under the building and then tie into the IPG at the existing water supply connection. When combined with the effects of the action alternatives on Dunseith LPOE safety and security, cumulative effects would be short-term and minor due to the temporary security measures implemented during construction and long-term and beneficial because of the security improvements.

Resource	Cumulative Effects
Traffic and Transportation	There would be no effect on traffic and transportation from the Dunseith LPOE effort to transition to the Turtle Mountain Water System because water would be delivered to the Dunseith LPOE via the same infrastructure as currently exists. There may be minor ground disturbance and traffic disruptions from maintenance activities. When combined with the effects of the action alternatives, including adverse construction detours and delays as well as long-term beneficial effects on traffic flow, cumulative effects on traffic and transportation would be short-term and minor.

3.11 Unavoidable Adverse Environmental Effects

Impacts from the action alternatives on the environment have been described in detail in the previous individual resource sections of this chapter. In general, any unavoidable adverse effects resulting from the action alternatives would be short- or long-term, site-specific, and minor.

Table 10 provides a summary of unavoidable adverse environmental effects of the project.

TABLE 10. UNAVOIDABLE ADVERSE ENVIRONMENTAL EFFECTS.

Resource	Unavoidable Effects
Geology, Topography, and Soils	Installation of a geothermal system would 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.
Vegetation and Wetlands	Disturbance from grading activities would result in direct long-term site-specific adverse effects on vegetation and wetlands.
Cultural and Historical Resources and Indian Sacred Sites and Indian Trust Resources	No historic properties exist in the project area. GSA continues to consult with potentially interested tribes to determine if Indian Sacred Sites or Indian Trust Resources would be affected by the project.
Air Quality and Climate Change	Fugitive dust and vehicle emissions would result in direct short-term site-specific minor adverse impacts on air quality.
Land Use Planning and Zoning	None
Environmental Justice	None
Environmental Contamination and Waste Management	None
Safety and Security	None
Traffic and Transportation	Traffic detours may result in direct local short-term minor adverse impacts on travelers due to temporary delays.

3.12 Irreversible and Irretrievable Commitments of Resources

A commitment of electricity, construction materials, and workforce labor would be required to complete construction for the project. However, irretrievable commitments of these resources may be minimized through conservation and sustainability practices, such as the diversion of up to 50 percent of materials from the landfill. In addition, it is anticipated that the action alternatives would ultimately require less energy through sustainable building practices. The conversion of potential wetlands from project implementation would be irretrievable; however, GSA would continue to consult with the USACE during design to determine if a Clean Water Act Section 404 permit is necessary.

3.13 Summary of Impacts and Mitigation Measures

Table 11 provides a summary of the impacts described for each resource topic described above under each alternative and mitigation measures to address impacts.

TABLE 11. SUMMARY OF IMPACTS AND MITIGATION MEASURES.

Resource	Alternative A Impacts	Alternative B Impacts	Alternative C Impacts	Mitigation Measures
Geology, Topography, and Soils	Impacts on soils (previously disturbed and undisturbed) would be about 8.5 acres under Alternative A. 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 would 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.	Impacts on soils (previously disturbed and undisturbed) would be about 7 acres under Alternative B. Construction activities may also expose project area soils to wind and erosion, resulting in a direct short-term minor impact on soils. Installation of a geothermal system would 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.	None	GSA would implement mitigation measures during construction including applying water to exposed soils and revegetating exposed areas following construction. In addition, GSA would prepare a detailed SWPP prior to construction in accordance with NDDEQ requirements. Following construction, natural stabilization methods would 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) would be about 8.5 acres under Alternative A. Direct long-term site-specific adverse effects on vegetation and wetlands from grading activities would cause disturbance; however, the effects would be minor because the activities would be mainly in existing previously developed areas. The quantity of wetlands impacted (up to 0.21 acre) would be minor when compared to the overall wetland habitat in the surrounding area. The impacts associated with invasive nonnative plant dispersal from the project would be indirect, short-term, site-specific, and negligible.	Impacts on vegetation and potential wetlands (previously disturbed and undisturbed) would be about 7 acres under Alternative B. Direct long-term site-specific adverse effects on vegetation and wetlands from grading activities would cause disturbance; however, the effects would be minor because most of the activities would occur in previously disturbed areas and would be approximately 1.5 acres less than Alternative A. The impacts associated with invasive nonnative plant dispersal would be the same as Alternative A.	None	GSA would continue to coordinate with the USACE during design to determine if any potential wetlands would be affected and if a Clean Water Act Section 404 permit is necessary for the associated impacts. Revegetation of areas temporarily impacted during construction would occur and would be consistent with the vegetation in the surrounding area.

Resource	Alternative A Impacts	Alternative B Impacts	Alternative C Impacts	Mitigation Measures
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 would have no effect on historic properties. GSA would continue to consult with potentially interested tribes to determine if Indian Sacred Sites or Indian Trust Resources would be affected by the project.	Alternative B would have no effect on historic properties, the same as Alternative A. GSA would continue to consult with potentially interested tribes to determine if Indian Sacred Sites or Indian Trust Resources would be affected by the project.	None	If previously unidentified cultural resources were to be discovered during construction, the GSA Region 8 Regional Historic Preservation Officer would be contacted for evaluation. Mitigation of any adverse effects on Indian Sacred Sites or Indian Trust Resources would be determined among GSA, the THPOs, and the tribes. In addition, a tribal monitor would be present during initial ground-disturbing activities, as requested by the tribes.
Air Quality and Climate Change	Direct short-term minor adverse impacts would occur on air quality and climate change from greenhouse gas (GHG) emissions from construction vehicles. Indirect long-term beneficial effects on climate change would occur as facilities would be more energy efficient and would produce lower GHG emissions. The new buildings would also be less susceptible to damage from extreme weather or other climatic events.	Same as Alternative A	Inefficient traffic flows would result in increased emissions over time; the existing facilities would be more susceptible to damage from extreme weather or other climatic events and would have an indirect long-term negligible effect on climate change.	GSA would require contractors to use the best available technology regarding construction equipment, to the extent possible, to minimize and/or mitigate vehicle emissions. Dust suppression would be used onsite to control particulates. Facility and infrastructure improvements would incorporate sustainable climate-resilient design following the P100 standards for facilities design (GSA 2021). Renewable energy sources would be considered for viability and feasibility as the design progresses.

Resource	Alternative A Impacts	Alternative B Impacts	Alternative C Impacts	Mitigation Measures
Land Use Planning and Zoning	Indirect local minor effects would 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. The newly proposed buildings may have indirect local long-term minor effects on the IPG Airport's departure, approach, and runway protection zone surfaces. Direct local short-term minor effects would occur on the existing pedestrian walkway from the airport apron to the Dunseith LPOE, which is overlapped by the project area. Changes in ROW access to the IPG Airport may result in direct local short-term minor impacts on access. Possible land acquisition of a portion of the IPG Airport property, which is overlapped by the project area (see Figure 6), may result in direct local long-term minor impacts on land use. 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.	Same as Alternative A	None	As design progresses and disturbance areas are refined, GSA would continue to work with landowners to identify ROW impacts and would 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. GSA would coordinate with the FAA on the *Obstruction Evaluation and Airport Airspace Analysis* 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.

Resource	Alternative A Impacts	Alternative B Impacts	Alternative C Impacts	Mitigation Measures
Environmental Justice	Direct short-term minor beneficial economic impacts on the local economy would occur during construction. Short-term effects would occur during construction and would be mostly limited to a slight increase in the construction work force and beneficial impacts from associated spending in the local community. Overall, Alternative A would not result in disproportionally high and adverse effects on minority and low-income populations in the vicinity of the project area.	Same as Alternative A	None	None
Environmental Contamination and Waste Management	Alternative A has the potential to encounter historical fuel oil USTs and ACM in the main building and USFWS building. Unanticipated hazardous substances or petroleum products could also be encountered during implementation of the project. 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.	Alternative B would have less ground disturbance and less building demolition than Alternative A because fewer new facilities would be constructed. 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.	Indirect long-term site-specific minor impacts would occur because the historical USTs in unknown locations would be left in place and not addressed.	A geophysical survey of the project area would be conducted to locate potential USTs. A pre-alteration assessment for asbestos and lead would be completed prior to alternatives design and demolition of the structures, and ACMs would be abated from any buildings planned for demolition by a licensed asbestos abatement professional, as required by federal and state law. GSA would develop a MMP to address the proper handling and disposal of any unanticipated hazardous substances or petroleum products.

Resource	Alternative A Impacts	Alternative B Impacts	Alternative C Impacts	Mitigation Measures
Safety and Security	Impacts on vehicle inspections would be direct, local, short-term, and minor during construction and beneficial over the long-term because of the improved inspection efficiency and inspectors' safety. During construction, temporary inspection facilities would be smaller than the existing facilities, making inspections less efficient, and resulting in direct local short-term minor adverse impacts.	Same as Alternative A	Existing security issues would remain, resulting in direct site-specific long-term minor impacts.	Signs, barriers, and traffic cones would 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 would be finalized during the design process.
Traffic and Transportation	Traffic delays would 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 would occur on traffic and transportation because of detours and traffic delays.	Same as Alternative A	Inefficient traffic flows could worsen over the long-term, resulting in direct local minor impacts on traffic.	GSA, in coordination with NDDOT, would create a traffic management plan that would outline the anticipated timing, duration, and proposed phasing of any travel lane closures, traffic detours, and temporary inspection areas.

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4.0 CONSULTATION AND COORDINATION

4.1 Scoping and Public Involvement

4.1.1 Scoping

Scoping is an early and open process for determining the scope of issues to be addressed and for identifying potential significant issues related to a proposed action. Internal scoping began with GSA and CBP staff identifying the purpose and need for the project, defining the proposed action, determining the environmental issues potentially required for detailed analysis, eliminating issues that are out of scope of the project, listing data needs, identifying cumulative actions, and confirming the appropriate NEPA path. External scoping began when the public and all interested stakeholders were notified about the proposed action and comments on the project and potential environmental issues were solicited. External scoping began on May 30, 2022, and concluded on June 30, 2022. For this project, external scoping included the following outreach:

- Press Release – A press release was published in the *Bottineau Courant* with project information, the virtual public and stakeholder meeting details, the public and stakeholder comment period, and the web address for the project on the GSA website (https://www.gsa.gov/real-estate/gsa-properties/land-ports-of-entry-and-the-bil/bipartisan-infrastructure-law-construction-project/north-dakota).
- Interested Stakeholder Scoping – Letters describing the project and ways to submit comments were sent to interested stakeholders (including representatives of potentially interested tribes) and the North Dakota SHPO (see Sections 4.2, 4.3, and 4.4).
- Virtual Public and Stakeholder Meeting – GSA hosted a virtual public and stakeholder meeting on Monday, June 13, 2022. The virtual meeting included a presentation by GSA staff describing the project, the NEPA process, the purpose of and need for the project, and preliminary resources to be analyzed in the Draft EA. The meeting also included information on how to submit comments about the project.

4.1.2 Public Review of Draft EA

Public comments on the Draft EA were solicited for 30 days beginning on October 24, 2022, and ending on November 24, 2022. Public notification of the Draft EA availability, comment period, and public meetings were distributed through the following sources:

- A press release announcing the availability of the Draft EA and other project-related communication and documentation on the GSA website at: https://www.gsa.gov/real-estate/gsa-properties/land-ports-of-entry-and-the-bil/bipartisan-infrastructure-law-construction-project/north-dakota
- A public notice displayed at:
  - Dunseith LPOE, 10947 U.S. Route 281, Dunseith, North Dakota
  - Dales Café, 612 Main Street, Dunseith, North Dakota
  - ARCO Gasoline Station, 612 Main Street, Dunseith, North Dakota
  - Cenex Gasoline Station, 401 U.S. Route 2, Rugby, North Dakota
- A legal notice published in the October 24, 2022, edition of the *Minot Daily News*, the October 25, 2022, edition of the *Bottineau Courant*, and the October 26, 2022, edition of the *Grand Forks Herald*
- Stakeholder letters mailed to the project mailing list (excluded herein)

- Tribal letters sent to the following potentially interested tribes (excluded herein):
  - Turtle Mountain Band of Chippewa Indians
  - Mandan, Hidatsa, and Arikara Nation/Three Affiliated Tribes
  - Spirit Lake Tribe of Ft. Totten

As part of the public review process, GSA hosted an in-person public meeting on Wednesday, November 9, 2022, from 6:00 pm to 7:30 pm CST at the Dunseith ERC. The meeting included a presentation by GSA staff, and GSA staff were available after the presentation to answer questions from the public. Six members of the public attended the meeting.

GSA also hosted a virtual public meeting on November 16, 2022, from 6:00 pm to 7:30 pm CST via Zoom. The virtual meeting included a presentation by GSA staff and contractors, and GSA staff answered questions from the public that were submitted via the Zoom chat box. Three members of the public attended the virtual meeting. A summary of all public comments received during scoping and public review of the Draft EA, as well as GSA's responses to those comments, can be found in Appendix 7.3.

After considering the issues identified during internal and external scoping and during public review of the Draft EA, GSA prepared this Final EA, which is available for public review for 30 days, from February 27, 2023, through March 29, 2023 (available at: https://www.gsa.gov/real-estate/gsa-properties/land-ports-of-entry-and-the-bil/bipartisan-infrastructure-law-construction-project/north-dakota).

4.2 Federal Agencies

GSA sent a letter dated May 26, 2022, to the USFWS, North Dakota Ecological Services Field Office (NDFO), requesting input on resources that may be affected by the project. GSA received a response via email from the NDFO on June 3, 2022, stating no objections to the project (Appendix 7.2).

GSA also consulted with the USACE, North Dakota Regulatory Office, on September 29, 2022, via telephone. USACE provided multiple options for addressing impacts on potential wetlands, including performing a wetland delineation and outlining the process for a preconstruction notification or any permits that may be required for the project (Erhardt pers. comm. 2022). GSA is continuing to consult with USACE, as necessary, to comply with the Clean Water Act.

4.3 State Agencies

GSA sent a letter dated May 26, 2022, to the North Dakota SHPO requesting their concurrence with GSA's no effect on historic resources determination, under the provisions of Section 106 of the National Historic Preservation Act. The North Dakota SHPO concurred with GSA's effect determination in a letter dated June 9, 2022 (Appendix 7.1).

GSA sent a scoping notice to NDDOT on May 26, 2022, and Draft EA public notice on October 21, 2022, to solicit input on the project. GSA met with NDDOT on June 27, 2022, to discuss the potential land acquisition of up to 2.31 acres (pending title work). NDDOT expressed that the agency would need post-construction access to the IPG for maintenance. Discussions between GSA and NDDOT are ongoing to ensure that NDDOT will retain access to the IPG.

GSA sent a scoping notice to the North Dakota Aeronautics Commission on May 26, 2022, and Draft EA public notice on October 21, 2022, to solicit input on the project. The North Dakota Aeronautics Commission expressed concerns with ROW access to the IPG Airport, potential land acquisition, impacts on the existing pedestrian walkway, and the proposed stormwater detention pond, which has the potential to attract wildlife. GSA will continue to work with the North Dakota Aeronautics Commission through the design process to mitigate impacts on the IPG Airport.

4.4 American Indian Tribes

GSA sought tribal input to help inform the environmental analysis for the project. Affiliated tribes were sent letters on May 26, 2022, to inform them of the project's scoping period and the preparation of a Draft EA and included the following:

- Turtle Mountain Band of Chippewa Indians
- Mandan, Hidatsa, and Arikara Nation/Three Affiliated Tribes
- Spirit Lake Tribe of Ft. Totten

GSA also met with the Spirit Lake and Turtle Mountain Tribes via telephone on July 28, 2022, to solicit input on the project. The tribes expressed overall support for the proposed action and requested to supplement the Cultural and Historic Resource Survey (see Section 3.3.1) by walking the site with GSA staff prior to construction to determine if tribal resources are present in the area. The tribes also requested a tribal monitor's presence during initial ground-disturbing activities in the event tribal resources are uncovered.

GSA again sent letters to tribal representatives on October 21, 2022, regarding the availability of the Draft EA for their review and comment. The letter provided additional background information on the project; the alternatives considered in the Draft EA; consultation and coordination activities that have occurred between GSA and other federal, state, or local organizations; and how the tribes can provide their comments or concerns on the project.

On October 26, 2022, GSA met with representatives of the Spirit Lake and Turtle Mountain Tribes at the Dunseith LPOE. GSA provided an overview of the proposed action using the preferred alternative site map to illustrate its layout. The group walked the project area, including undeveloped areas proposed for development, buildings proposed for demolition, and the proposed land acquisition location—including a private residence at the southeast corner of the project area. The group was also looking at the site to confirm conclusions made in the Cultural and Historic Resource Survey (ERO 2022a).

A Turtle Mountain tribal representative inquired if the main and storage Dunseith LPOE buildings would be replaced, and GSA stated they would be. There was also a discussion of connecting the Dunseith LPOE to the Turtle Mountain Water System. GSA would need to make a formal request via email to discuss tying into this water system; the domestic water line projects in the area are grant funded through the U.S. Department of Agriculture.

The tribes expressed gratitude for the opportunity to review the project and look forward to the future Dunseith LPOE buildings aesthetically connecting with the local culture and community. The Turtle Mountain Tribe would like the opportunity to salvage buildings, building components, and equipment planned for demolition, if possible. GSA notified both tribes of the in-person public meeting at

the Dunseith ERC that was held on November 9, 2022. One tribal member attended the public meeting.

On January 4, 2023, GSA sent an email to tribal representatives to again solicit comments on the Draft EA and Cultural and Historic Resource Survey while this Final EA was being prepared.

5.0 REFERENCES

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6.0 LIST OF PREPARERS

Name	Title
GSA	
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Ann Marie Sushinsky	Region 8 Portfolio Business Center Manager
James Richards	Region 8 Portfolio Officer
Lisa Wild	Region 8 Senior Project Manager
Bryan Zach	Region 8 Project Manager
Derrick W. Rosenbach, AICP	Region 8 NEPA Compliance Specialist
Andrea Collins	Region 8 Historic Preservation Officer
John Kleinschmidt	Region 8 Environmental Program Manager
Curt Schumaier	Region 8 Property Manager
Marshall Popkin	National NEPA Project Liaison
ERO Resources Corporation	
Nicole DenHerder	Senior Environmental Planner
Aliina Fowler	Project Environmental Planner
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Courtney Sockwell	Geologist I
Moneka Worah	Senior Natural Resource Specialist
Wendy Hodges	GIS Specialist
David Hesker	Graphics Specialist
Kay Wall	Technical Editor

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7.0 APPENDICES

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Appendix 7.1 Section 106 NHPA Consultation

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U.S. General Services Administration

May 26, 2022

Email: billpeterson@nd.gov

Bill Peterson
North Dakota State Historic Preservation Officer
North Dakota State Historic Preservation Office
612 East Boulevard Ave.
Bismarck, ND, 58505

Dear Mr. Peterson,

The U.S. General Services Administration (GSA) Region 8 is preparing an environmental assessment (EA) for the Dunseith Land Port of Entry (LPOE) project in compliance with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA). The LPOE is located on U.S. Route 281, approximately 12 miles north of the town of Dunseith, ND (**Figure 1)**. The EA will examine the impacts on natural and cultural resources from potential improvements at the LPOE, including site expansion (up to 2.31 acres), demolition, and new construction.

The purpose of the project is to modernize and expand the Dunseith, ND LPOE. The project is needed to address space constraints, inefficient traffic flows, and increasing traffic and inspection demands. The LPOE facilities were constructed in the 1960s and are too small and served by an inefficient road design. Currently, the LPOE contains a main building (constructed in 1960 and renovated in 1974) and an inspection garage between the northbound and southbound lanes of U.S. Route 281 (**Figure 2**). Secondary facilities east of the LPOE include a GSA storage building, a U.S. Fish and Wildlife Service (USFWS) administrative building (constructed in 1960), a U.S. Customs and Border Protection (CBP) storage shed, and a trailer for the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). The existing LPOE facilities and configurations do not meet CBP's needs and do not allow for expeditious and safe inspection of the traveling public. The LPOE needs to be modernized and expanded to address these space constraints, inefficient traffic flows, and increasing traffic demands.

A feasibility study for this project was completed in 2019. Several action alternatives were considered in the feasibility study, and an interdisciplinary team familiar with the issues and affected resources at the LPOE have preliminarily identified three alternatives that may be assessed in the EA:

- Alternative A: Proposed Action – Construct the facilities as further described below;
- Alternative B: Construct a lesser version (may be smaller facilities or fewer facilities); and
- Alternative C: No Action.

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The Proposed Action would seek to increase inspection capacity and improve traffic flow at the LPOE. Key aspects of the Proposed Action are shown in **Figure 3** and would include the following:

1. realignment of the primary inspection lanes, relocation of an APHIS trailer, and rearrangement of commercial vehicle staging areas;
2. disposal of the existing LPOE main building, primary inspection canopy, and auxiliary buildings;
3. land acquisition (2.31 acres; **Figure 4**) to accommodate site expansion;
4. construction of a new main building, primary inspection canopy, noncommercial secondary inspection canopy, and hard inspection building adjacent to the main building;
5. construction of four new primary inspection lanes (three covered); and
6. construction of a new commercial secondary inspection dock and facility.

In addition to NEPA, the alternatives analyzed in the EA must comply with Section 106 of the NHPA, Section 7 of the Endangered Species Act (ESA), and other federal regulations. The GSA determined that the existing LPOE was not eligible for listing in the National Register of Historic Places and the ND State Historic Preservation Office (SHPO) concurred with that determination. A Phase IA Archaeological Investigation, including an assessment of archaeological resources potential in the areas to be disturbed, will be conducted on the 2.31-acre proposed expansion site in accordance with the ND SHPO *Guidelines Manual for Cultural Resource Inventory Projects*. A Phase I environmental site assessment for hazardous materials was previously completed on the existing LPOE site and another Phase I environmental site assessment will also be completed on the proposed expansion site.

Certain species are protected under the ESA. The USFWS Information, Planning, and Consultation (IPaC) System was reviewed for the potential occurrence of federally threatened or endangered species or their habitats at the LPOE. The IPaC System recognized the potential for two threatened [(northern long-eared bat [*Myotis septentrionalis*] and Dakota skipper [*Hesperia dacotae*]), and one candidate species monarch butterfly (*Danaus plexippus*). Two endangered species (gray wolf [*Canis lupus*] and whooping crane [*Grus americana*]), and three migratory species (bald eagle [*Haliaeetus leucocephalus*], Bobolink [*Dolichonyx oryzivorus*], and Franklin's Gull [*Leucophaeus pipixcan*]) also have the potential to occur at or near the LPOE. For ESA Section 7 consultation, additional research will be conducted to determine the presence of state-listed threatened or endangered species, sensitive species or species of concern, and any additional issues/concerns related to wildlife at or near the LPOE.

Pursuant to the USFWS National Wetland Inventory (NWI), no wetlands are on the existing or proposed expanded LPOE property. The closest NWI mapped feature is a freshwater emergent wetland, approximately 0.35 mile southwest and 0.40 mile southeast of the LPOE.

This letter is to notify your office that the GSA is initiating agency and public scoping and consultation and is seeking comments on the project. We would appreciate your help identifying resources that may be affected by the project. If you are interested, we would be willing to meet with you at your convenience to discuss the proposed project and its impacts, including any

concerns you may have. If you wish to provide written comments, please send them to:

ATTN: GSA Dunseith LPOE EA
ATTN: Andrea Collins
U.S. General Services Administration, Region 8
One Denver Federal Center
P.O. Box 25546, Building 41
Denver, CO 80225

Comments may also be submitted electronically to **andrea.collins@gsa.gov**. Please ensure the subject line of the email reads: **Dunseith LPOE EA**. We request that all comments be postmarked or submitted electronically by **June 30, 2022**.

GSA will host a virtual public and stakeholder meeting on **June 13, 2022**, from 6:00 pm to 7:30 pm CST via Zoom. Your office is encouraged to attend and participate in this meeting. Please follow this hyperlink to access the meeting: https://us06web.zoom.us/j/83190099844?pwd=UFlZZk1ib1dmdnZCUW1Yc2h6TFRsUT09.

Project-related communication and documentation is available on the GSA website at: https://www.gsa.gov/real-estate/gsa-properties/land-ports-of-entry-and-the-bil/bipartisan-infrastructure-law-construction-project/north-dakota.

Thank you for taking the time to consider this project. If this letter has not been sent to the correct representative, please help us update our records. If you have any questions, please contact me directly by email at andrea.collins@gsa.gov.

Sincerely,

Andrea Collins
Regional Historic Preservation Officer
GSA | Public Buildings Service | Rocky Mountain Region

Attachments:
Figure 1. Dunseith LPOE Vicinity Map
Figure 2. Existing Dunseith LPOE Facilities Map
Figure 3. Proposed Action Conceptual Site Plan
Figure 4. Proposed Action Land Acquisition Requirement

Figure 1. Dunseith LPOE Vicinity Map

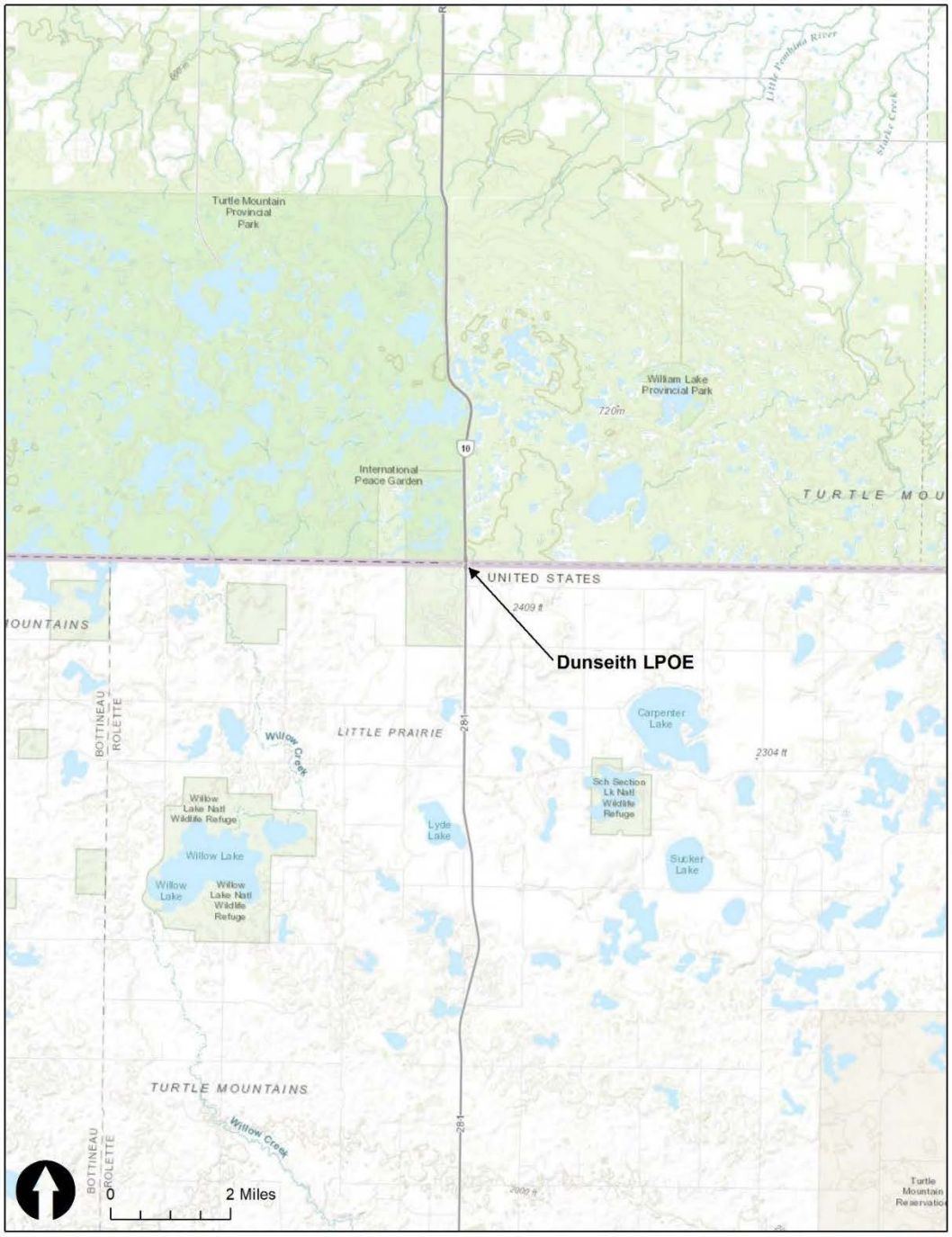

Image Credit: 2019 LPOE Feasibility Study

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Figure 2. Existing Dunseith LPOE Facilities Map

Image Credit: 2019 LPOE Feasibility Study

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Figure 3. Proposed Action Conceptual Site Plan

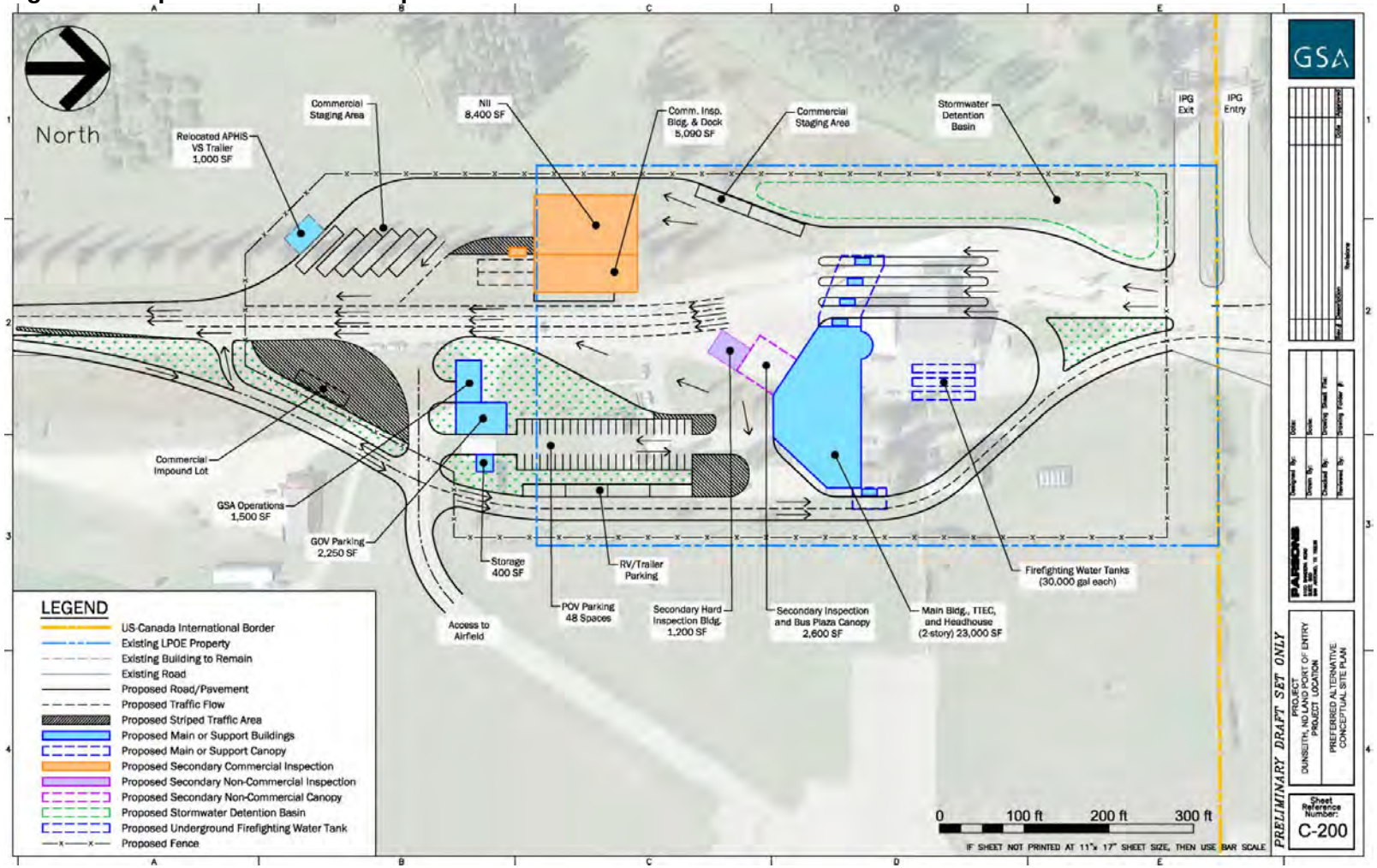
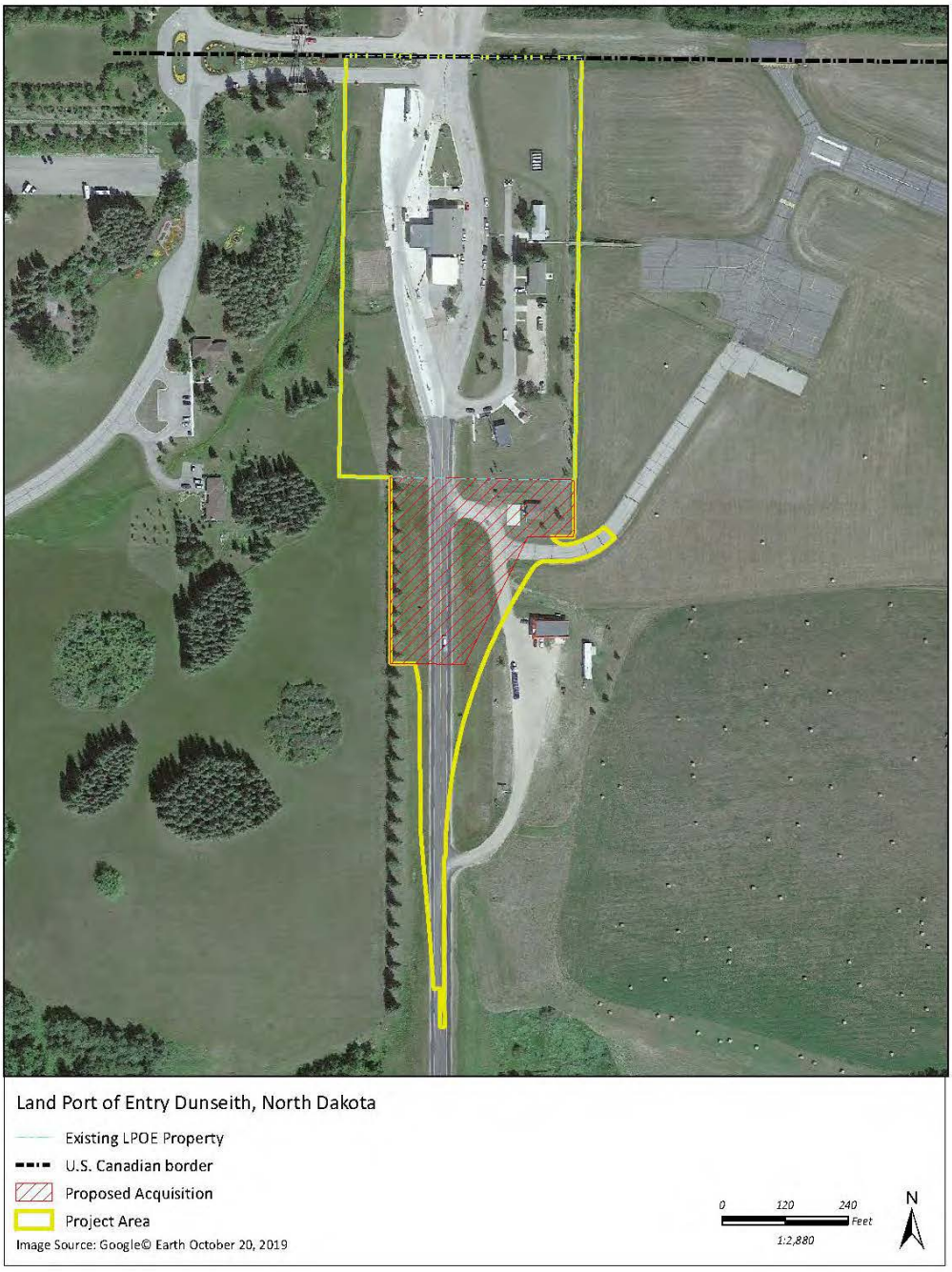


Image Credit: 2019 LPOE Feasibility Stud

Figure 4. Proposed Action Land Acquisition Requirement



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U.S. General Services Administration

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August 26, 2022

Andrea Collins
U.S. General Services Administration | Public Buildings Service
Rocky Mountain Region (Region 8)
Portfolio Management & Customer Engagement Division
One Denver Federal Center
P.O. Box 25546
Building 41
Denver, Colorado 80225

ND SHPO Ref.: 22-5937 "Cultural Resource Survey Dunseith Land Port of Entry Modernization Project Dunseith, Rolette County, North Dakota"

Dear Andrea,

We reviewed ND SHPO Ref.: 22-5937 "Cultural Resource Survey Dunseith Land Port of Entry Modernization Project Dunseith, Rolette County, North Dakota" and we concur with a determination of "No Historic Properties Affected" for this project provided it takes place in the location and in the manner described in the documentation and provided all borrow comes from an approved source.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in further correspondence for this specific project. If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577 or lsteckler@nd.gov

Sincerely,

for William D. Peterson, PhD
State Historic Preservation Officer
(North Dakota)

22-5937

Appendix 7.2 Section 7 ESA Consultation

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This Constitutes a report of the Department of the Interior prepared in accordance with the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq). We have reviewed and have NO OBJECTION to this proposed project.

DREW BECKER Digitally signed by DREW BECKER Date: 2022.06.03 12:56:08 -05'00'

Field Supervisor

June 2, 2022

Sent by e-mail to: lauren_toivonen@fws.gov

Lauren Toivonen
North Dakota Ecological Services Field Office
U.S. Fish and Wildlife Service
3425 Miriam Avenue
Bismarck, ND 58501-7926

RE: Technical Assistance Request for the Dunseith Land Port of Entry Project

Dear Lauren Toivonen,

The U.S. General Services Administration (GSA) Region 8 is preparing an environmental assessment (EA) for the proposed Dunseith Land Port of Entry (LPOE) project in compliance with the National Environmental Policy Act (NEPA). The LPOE is located on U.S. Route 281, approximately 12 miles north of the town of Dunseith, North Dakota (**figure 1**). The EA will examine the impacts on natural and cultural resources from potential improvements at the LPOE, including site expansion (up to 2.31 acres), demolition, and new construction.

The purpose of this letter is to provide the U.S. Fish and Wildlife Service (USFWS) with sufficient detail on the proposed project, determine the extent to which the project may affect threatened, endangered, candidate, and sensitive species or any associated critical habitat, and to request technical assistance from your office.

Project Background

The purpose of the proposed project is to modernize and expand the LPOE. The project is needed to address space constraints, inefficient traffic flows, and increasing traffic and inspection demands. The LPOE facilities were constructed in the 1960s, are too small, and are served by an inefficient roadway design. Currently, the LPOE contains a main building and an inspection garage between the northbound and southbound lanes of U.S. Route 281 (**figure 2**).

Secondary facilities east of the LPOE include a GSA storage building, a USFWS administrative building, a U.S. Customs and Border Protection storage shed, and a trailer for the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). The existing LPOE facilities and configurations do not meet the needs of these agencies and do not allow for expeditious and safe inspection of the traveling public.

Conceptual Alternatives

A feasibility study for the proposed project was completed in 2019. Several action alternatives were identified in the feasibility study, and an interdisciplinary team familiar with the issues and affected resources at the LPOE have explored three conceptual alternatives that may be assessed in the EA:

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- **Alternative A**: Proposed Action (described below);
- **Alternative B**: Construct Smaller or Fewer Facilities; and
- **Alternative C**: No Action.

Alternative A: Proposed Action would seek to increase inspection capacity and improve traffic flow at the LPOE. Key elements of the proposed action would include the following:

1. realignment of the primary inspection lanes, relocation of an APHIS trailer, and rearrangement of commercial vehicle staging areas;
2. disposal of the existing LPOE main building, primary inspection canopy, and auxiliary buildings;
3. land acquisition (2.31 acres; **figure 3**) to accommodate southward site expansion within the roadway corridor;
4. construction of a new main building, primary inspection canopy, noncommercial secondary inspection canopy, and hard inspection building adjacent to the main building;
5. construction of four new primary inspection lanes (three of which would be covered); and
6. construction of a new commercial secondary inspection dock and facility.

Species Effects Analysis

In addition to NEPA, the alternatives to be analyzed in the EA must comply with Section 7 of the Endangered Species Act (ESA). The USFWS' Information, Planning, and Consultation (IPaC) tool was reviewed for the potential occurrence of federally protected species and critical habitat at the LPOE.[1]

The IPaC tool recognized the potential occurrence of two threatened species (i.e., northern long-eared bat [*Myotis septentrionalis*] and Dakota skipper [*Hesperia dacotae*]) and one candidate species (i.e., monarch butterfly [*Danaus plexippus*]). Furthermore, a court order on February 10, 2022, listed gray wolves (*Canis lupus*) as endangered in the contiguous 48 states under the ESA–except for the Northern Rocky Mountain population.[2] *The IPaC tool did not identify any critical habitat for these species within the project area*. Therefore, the GSA has made preliminary effect determinations for each identified species based on existing site conditions:

Common Name	Latin Binomial	Listing Status	Habitat[3]	Preliminary Effect Determination
Northern Long-Eared Bat	Myotis septentrionalis	Threatened	In spring, summer, and fall, this species lives and roosts alone or in colonies underneath bark, cavities, and	**No effect**. Five coniferous trees are located near the southwest end of the existing property along the southbound lane of U.S. Route 281. A few

[1] U.S. Fish and Wildlife Service. "Information, Planning, and Consultation Tool: Dunseith LPOE Environmental Assessment Project, Rolette County, North Dakota," 2022. June 1. https://ipac.ecosphere.fws.gov/.

[2] U.S. Fish and Wildlife Service. "2022 Gray Wolf Questions and Answers," 2022. June 1. https://www.fws.gov/media/2022-gray-wolf-questions-and-answers.

[3] U.S. Fish and Wildlife Service. "Environmental Conservation Online System," 2022. June 1. https://ecos.fws.gov/.

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			crevices in live and dead trees. In winter, this species hibernates in caves and mines.	coniferous and deciduous trees are also located east of the LPOE. Should tree removal be required, potential impacts to this species would be avoided because no construction-related removal would occur during the roosting season (between April 1 and October 31).
Dakota Skipper	Hesperia dacotae	Threatened	This species lives in native moist bluestem prairies and dry upland prairies where nectar producing wildflowers are present.	**No effect**. No suitable habitat exists for this species in the project area.
Monarch Butterfly	Danaus plexippus	Candidate	This species lives in fields, naturally open areas, wet areas, and urban gardens where milkweed and flowering plants are present. This species migrates in winter to the oyamel fir trees of central Mexico.	**No effect**. No suitable habitat exists for this species in the project area.
Gray Wolf	Canis lupus	Endangered	This species has a wide range of habitat, including temperate forests, mountains, tundra, taiga, and grasslands.	**No effect**. No known breeding population of this species occurs in North Dakota.[4]

Three migratory species (i.e., bald eagle [*Haliaeetus leucocephalus*], Bobolink [*Dolichonyx oryzivorus*], and Franklin's Gull [*Leucophaeus pipixcan*]) also have the potential to occur at or near the LPOE. The whooping crane (*Grus americana*) is listed as endangered in North Dakota; however, its designated range excludes the project area and was not an identified resource on the USFWS' official species list generated by the IPaC tool.[5] Each of these species are not anticipated to be

[4] North Dakota Game and Fish. "Gray Wolf," 2022. June 1. https://gf.nd.gov/wildlife/id/carnivores/wolf.

[5] U.S. Fish and Wildlife Service. "Whooping Crane (Grus Americana)," 2022. June 1. https://ecos.fws.gov/ecp/species/758.

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affected by the project because they have a low probability of presence in the project area.[6]

According to the USFWS National Wetland Inventory (NWI), no wetlands occur on the existing or proposed expanded LPOE property. The closest NWI mapped feature is a freshwater emergent wetland, approximately 0.35 mile southwest and 0.40 mile southeast of the LPOE. Therefore, no impacts are anticipated to this type of habitat or the species utilizing the wetland.

Technical Assistance Request

We would greatly appreciate your technical assistance identifying any additional resources that could be affected by the proposed project and your input on our preliminary effect determinations. Should you have any immediate questions or concerns, please contact me directly by phone at **(720) 648-7187** or by email at **derrick.rosenbach@gsa.gov**.

Sincerely,

Derrick W. Rosenbach

Derrick W. Rosenbach, AICP
NEPA Compliance Specialist
GSA | Public Buildings Service | Region 8
Portfolio Management & Customer Engagement Division

Attachments:
Figure 1. Dunseith LPOE Vicinity Map
Figure 2. Existing Dunseith LPOE Facilities Map
Figure 3. Proposed Action Land Acquisition Requirement

Enclosed:
Official USFWS IPaC Report
Unofficial USFWS IPaC Report (contains list of migratory birds)

[6] U.S. Fish and Wildlife Service. "Information, Planning, and Consultation Tool: Dunseith LPOE Environmental Assessment Project, Rolette County, North Dakota," 2022. June 1. https://ipac.ecosphere.fws.gov/.

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Figure 1. Dunseith LPOE Vicinity Map

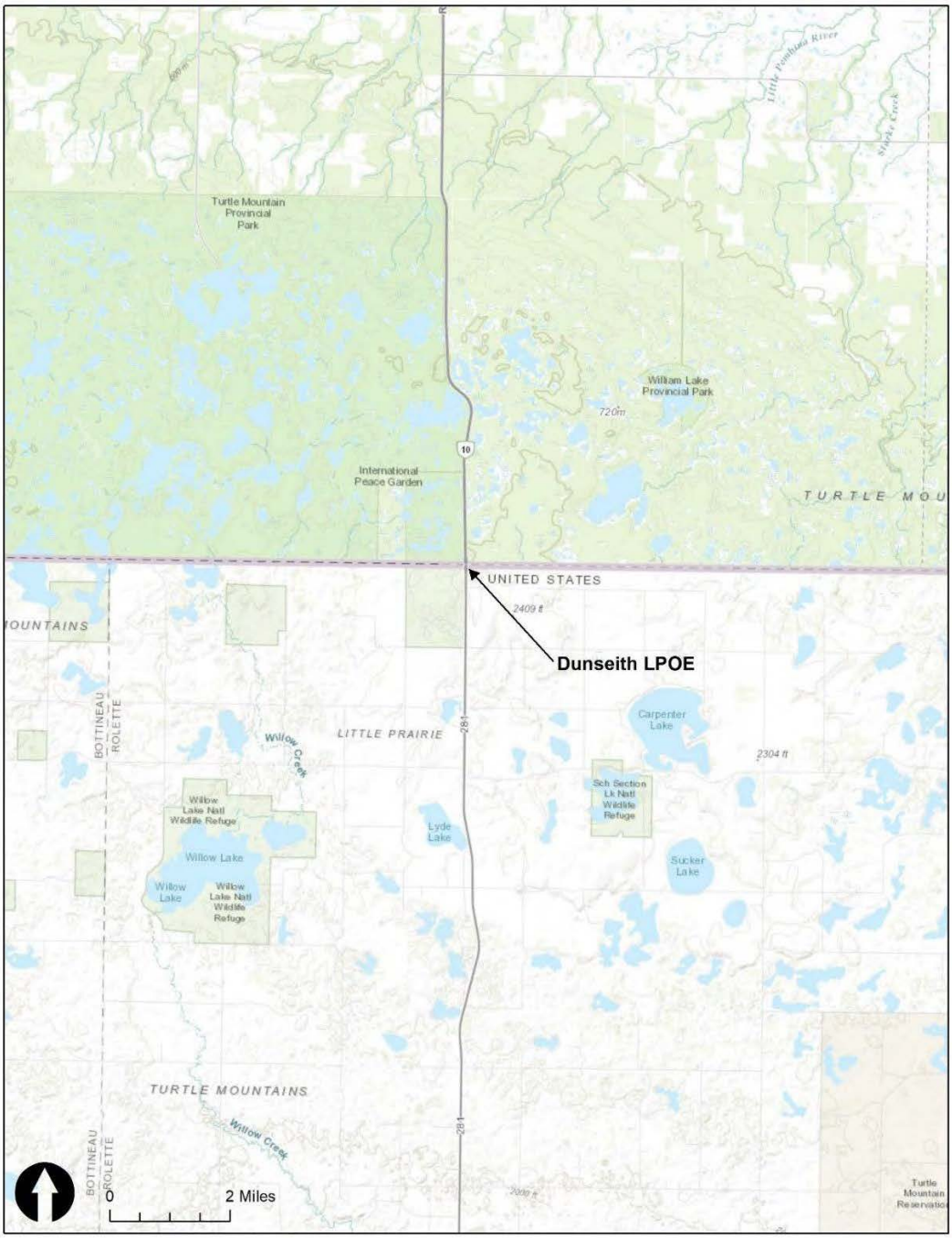

Image Credit: 2019 LPOE Feasibility Study

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Figure 2. Existing Dunseith LPOE Facilities Map

Image Credit: 2019 LPOE Feasibility Study

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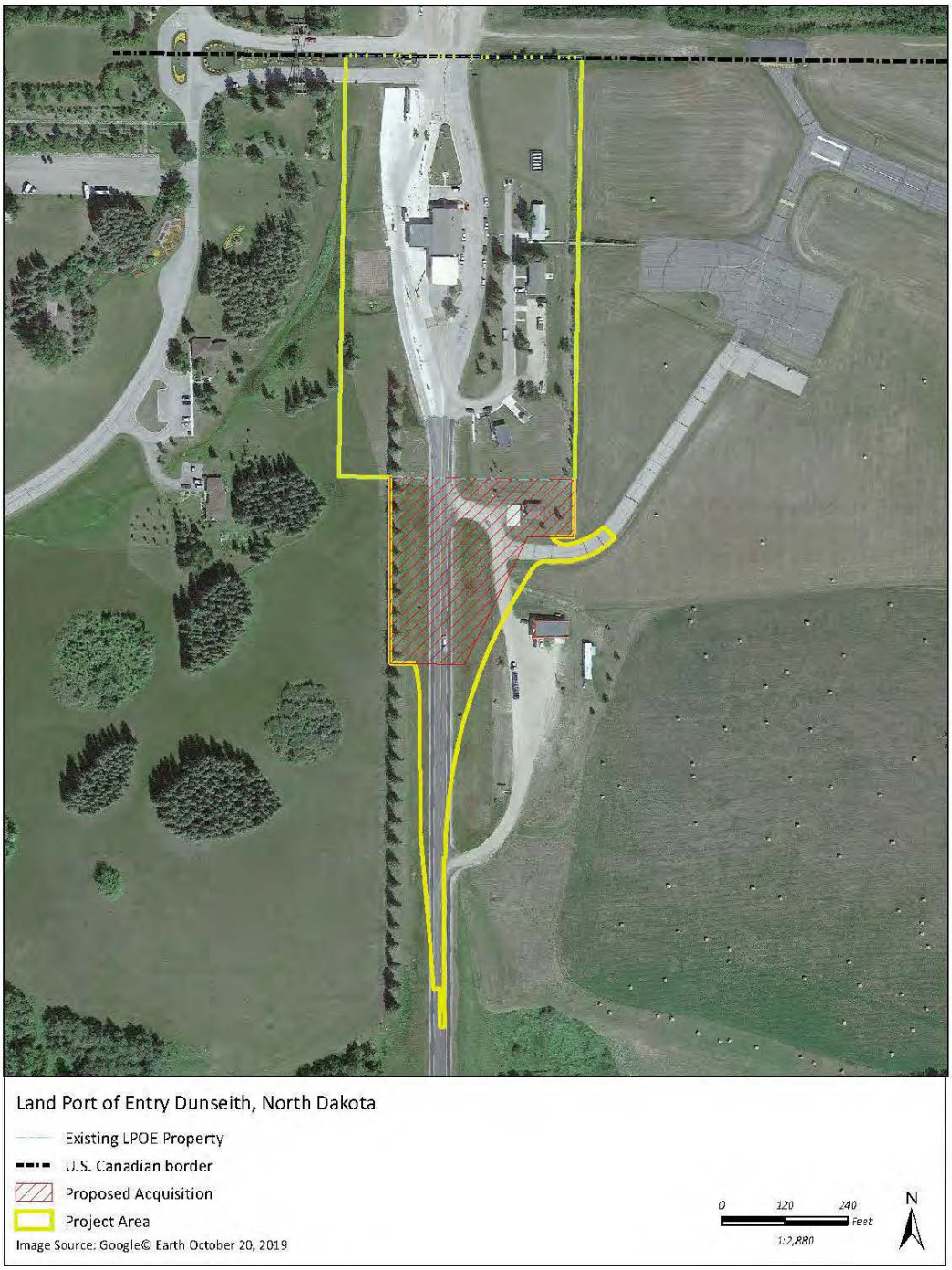
Figure 3. Proposed Action Land Acquisition Requirement



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Appendix 7.3 Public Comment Summary Report and Agency Responses for the Draft EA

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Public Comment Summary Report
Dunseith Land Port of Entry Modernization Project
Draft Environmental Assessment
Dunseith, North Dakota

U.S. General Services Administration | Public Buildings Service
Rocky Mountain Region (Region 8)
Portfolio Management & Customer Engagement Division
One Denver Federal Center
P.O. Box 25546, Building 41
Denver, Colorado 80225

December 7, 2022

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CONTENTS

FIGURES

TABLES

ATTACHMENTS

LIST OF ACRONYMS

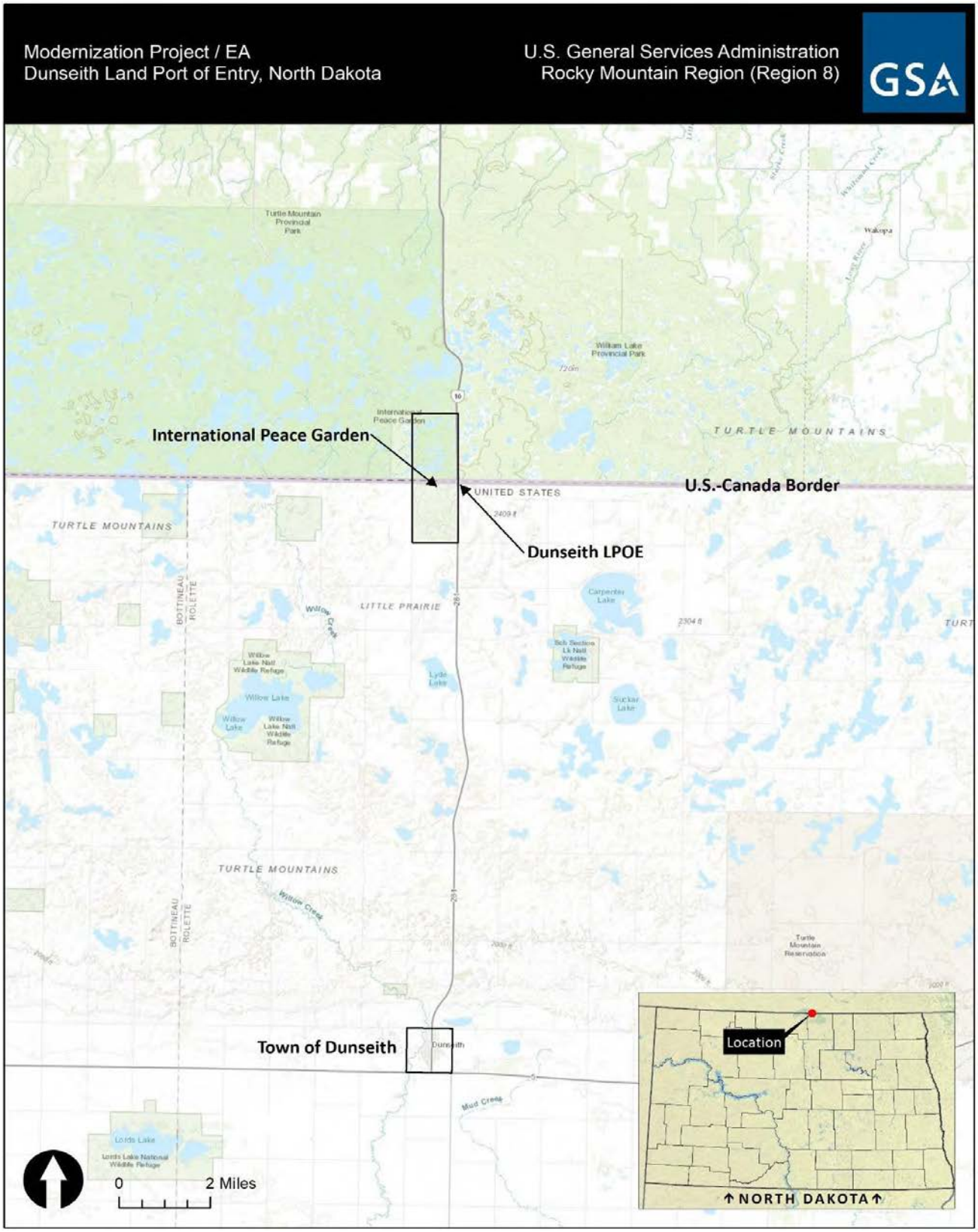
Environmental Assessment	EA
Emergency Response Center	ERC
Federal Aviation Administration	FAA
International Peace Garden	IPG
National Environmental Policy Act	NEPA
North Dakota Aeronautics Commission	NDAC
North Dakota Department of Transportation	NDDOT
North Dakota Parks & Recreation Department	NDPRD
Right-of-way	ROW
U.S. Army Corps of Engineers	USACE
U.S. Customs and Border Protection	CBP
U.S. General Services Administration	GSA

1.0 INTRODUCTION

The U.S. General Services Administration (GSA) Rocky Mountain Region (Region 8) has prepared a Draft Environmental Assessment (Draft 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; **Figure 1**). The U.S. Customs and Border Protection (CBP) currently inspects private vehicular, pedestrian, and commercial truck traffic at the Dunseith LPOE on the U.S.-Canada Border. Current Dunseith LPOE facilities and configurations do not meet CBP's needs and do not allow for expeditious and safe inspection of the traveling public. The Draft EA examines the impacts from potential improvements at the Dunseith LPOE, including site expansion (up to 2.31 acres, pending title work), demolition, and new construction.

GSA prepared the Draft EA in compliance with the National Environmental Policy Act of 1969 (NEPA), as amended, which requires federal agencies to prepare an EA to determine if an action has the potential to significantly affect the quality of the human environment. In addition, GSA is integrating the consultation processes required under Section 106 of the National Historic Preservation Act and Section 7 of the Endangered Species Act with the NEPA process. Potential adverse and beneficial effects on historic, biological, and other resources that may result from the project are disclosed in the Draft EA.

FIGURE 1. PROJECT LOCATION



2.0 PUBLIC REVIEW PROCESS

2.1 Scoping

Scoping is an early and open process for determining the scope of issues to be addressed and for identifying potential significant issues related to a proposed action (40 Code of Federal Regulations § 1501.9). Internal scoping began with GSA and CBP staff identifying the purpose and need for the project, defining the proposed action, determining the environmental issues potentially required for detailed analysis, eliminating issues that are out of scope of the project, listing data needs, identifying cumulative actions, and confirming the appropriate NEPA path. External scoping began when the public and all interested stakeholders were notified about the proposed action and comments on the project and potential environmental issues were solicited. External scoping began on May 30, 2022, and concluded on June 30, 2022. For this project, external scoping included the following outreach:

- Press Release – A press release was published in the *Bottineau Courant* with project information, the virtual public and stakeholder meeting details, the public and stakeholder comment period, and the web address for the project on the GSA website (https://www.gsa.gov/real-estate/gsa-properties/land-ports-of-entry-and-the-bil/bipartisan-infrastructure-law-construction-project/north-dakota).
- Interested Stakeholder Scoping – Letters describing the project and ways to submit comments were drafted and sent to interested stakeholders (including representatives of potentially interested tribes) and the North Dakota State Historic Preservation Office (see the Final EA Sections 4.2, 4.3, and 4.4).
- Virtual Public and Stakeholder Meeting – GSA hosted a virtual public and stakeholder meeting on Monday, June 13, 2022. The virtual meeting included a presentation by GSA staff describing the project, the NEPA process, the purpose of and need for the project, and preliminary resources to be analyzed in the Draft EA. The meeting also included information on how to submit comments about the project.

GSA met with the Spirit Lake Tribe and Turtle Mountain Tribe on July 28, 2022, to solicit input on the project. The tribes expressed overall support for Alternative A and requested to supplement GSA's cultural resources analysis by walking the site with GSA prior to construction to determine if tribal resources are present in the area. The tribes also requested a tribal monitor presence during initial ground-disturbing activities in the event tribal resources are uncovered.

Scoping comments were considered in the development of the Draft EA and are summarized below in **Table 1**.

2.2 Draft EA

Public comments on the Draft EA were solicited for 30 days beginning on October 24, 2022, and ending on November 24, 2022. Public notification of the Draft EA availability, comment period, and public meetings were distributed through the following sources (see **Attachment A**):

- A press release announcing the availability of the Draft EA and other project-related communication and documentation on the GSA website at: https://www.gsa.gov/real-estate/gsa-properties/land-ports-of-entry-and-the-bil/bipartisan-infrastructure-law-construction-project/north-dakota
- A public notice displayed at:

Dunseith LPOE, 10947 U.S. Route 281, Dunseith, North Dakota
Dales Café, 612 Main Street, Dunseith, North Dakota
ARCO Gasoline Station, 612 Main Street, Dunseith, North Dakota
Cenex Gasoline Station, 401 U.S. Route 2, Rugby, North Dakota

- A legal notice published in the October 24, 2022, edition of the *Minot Daily News*, the October 25, 2022, edition of the *Bottineau Courant*, and the October 26, 2022, edition of the *Grand Forks Herald*
- Stakeholder letters mailed to the project mailing list (excluded herein)
- Tribal letters sent to the following potentially interested tribes (excluded herein):
  Turtle Mountain Band of Chippewa Indians
  Mandan, Hidatsa, and Arikara Nation/Three Affiliated Tribes
  Spirit Lake Tribe of Ft. Totten

On October 26, 2022, GSA met with representatives of the Spirit Lake and Turtle Mountain Tribes at the Dunseith LPOE. GSA provided an overview of the proposed action using the preferred alternative site map to illustrate its layout. The group walked the project area, including undeveloped areas proposed for development, buildings proposed for demolition, and the proposed land acquisition location—including a private residence at the southeast corner of the project area. The group was also looking at the site to confirm conclusions made in the cultural resource analysis.

As part of the public review process, GSA hosted an in-person public meeting on Wednesday, November 9, 2022, from 6:00 pm to 7:30 pm CST at the Dunseith Emergency Response Center (ERC). The meeting included a presentation by GSA staff, and GSA staff were available after the presentation to answer questions from the public. Six members of the public attended the meeting.

GSA also hosted a virtual public meeting on November 16, 2022, from 6:00 pm to 7:30 pm CST via Zoom. The virtual meeting included a presentation by GSA staff and contractors, and GSA staff answered questions from the public that were submitted via the Zoom chat box. Three members of the public attended the virtual meeting.

3.0 PUBLIC AND AGENCY COMMENTS

3.1 Definition of Terms

The following comment analysis terms are used in this document:

Correspondence: Correspondence is the entire document received from a commenter and includes letters, emails, and comments made during the in-person and virtual public meetings.

Comment: A comment is a portion of text in a correspondence that addresses a single topic such as “utilities.” The comment could also question the accuracy of the information provided in the Draft EA, question the adequacy of any background information and scoping materials, or present reasonable alternatives other than the Proposed Action.

3.2 Summary of Public Scoping Comments

During the 30-day public scoping period, GSA received six correspondences consisting of:

- Two comments submitted during the June 13, 2022, public meeting

- Four letters received from state and local organizations

Table 1 summarizes public and agency scoping comments on the project, which were considered in the development of the Draft EA.

TABLE 1. PUBLIC AND AGENCY SCOPING COMMENTS ON THE DUNSEITH LPOE MODERNIZATION PROJECT.

Topic/Category	Summary of Comments
Cultural and Historical Resources	One commenter requested that archaeological work and associated report(s) for the project be reviewed by an agency (i.e., GSA and/or CBP) Registered Professional Archaeologist or, at a minimum, an archaeologist who meets the Secretary of [the Department of the Interior's] *Professional Qualifications Standards* for archaeology. Even archaeological studies for which no archaeological resources are identified should be reviewed by a qualified subject matter expert.
Utilities	One commenter would like to explore the possibility of tying International Peace Garden (IPG) water into the Turtle Mountain Water System, as an outdated water treatment plant is currently being used. The commenter also would like to discuss the possibility of upgrades to the IPG water and sewer systems, assuming it will still be connected to the U.S. and Canadian ports, even if fed from the Turtle Mountain Water System.
Traffic and Transportation, Land Use Planning and Zoning	One commenter would like to ensure that the project is reviewing and taking into consideration any impacts on the IPG Airport, including construction within the runway protection area, airspace surfaces, and access to the airport via road as well as the walkway from the apron area.
Traffic and Transportation	One commenter expressed concerns that if construction occurs in mid-June through the first week of August and some of the lanes are closed or reduced, it could cause considerable backups at the Dunseith LPOE for hours, especially on Saturdays and Sundays. A camp at the IPG operates at that time and pre-Covid numbers were about 200 to 300 U.S. campers per week (and their families).
Biological Resources	One commenter confirmed that no North Dakota Parks and Recreation Department (NDPRD) properties, Section 6(f) properties under the Land and Water Conservation Fund, or plant and animal species of concern or significant ecological communities are documented in or immediately adjacent to the project area.

3.3 Summary of Draft EA Public Comments

3.3.1 Overview of Comments and Analysis

During the 30-day Draft EA comment period, GSA received 11 correspondences consisting of:

- Six comments and questions from the November 9, 2022, public meeting
- Two comments and questions submitted during the November 16, 2022, virtual public meeting
- Three letters received from state and local organizations

3.3.2 Draft EA Public Comment Summary and GSA Response to Comments

Table 2 summarizes public comments on the Draft EA and includes GSA's responses to public comments. **Table 3** summarizes agency comments on the Draft EA and includes GSA's responses to agency comments.

TABLE 2. PUBLIC COMMENTS ON THE DUNSEITH LPOE DRAFT EA.

Topic/Category	Summary of Comments	GSA Response
Public Meeting	One commenter inquired if there were any questions at the in-person public meeting.	Yes. The questions asked are summarized in this table.
Agency Consultation	One commenter asked why GSA is consulting with the U.S. Army Corps of Engineers (USACE)?	GSA is coordinating with the USACE to determine if wetlands would be affected during project implementation and if a Section 404 permit is necessary for compliance with the Clean Water Act. Compensatory mitigation (i.e., restoration of a wetland somewhere else in the project area or, in some cases, within the same watershed) is sometimes required for any dredged or filled wetlands more than 0.10 acre. Currently, the project is expected to impact approximately 0.21 acre of wetlands (see the Final EA, Section 3.2). GSA anticipates submitting a preconstruction notification to the USACE describing these impacts or possibly pursuing a Nationwide Permit under permit #39 or #43, contingent on final project design. These two permits allow dredging or filling wetlands up to 0.50 acre.
Traffic and Transportation	One commenter raised concerns about the project's impacts on the Canadian port, particularly the lanes and line of sight.	GSA would avoid impacts on the U.S.-Canada border itself. Furthermore, GSA is currently in the schematic design phase of the project. The height of the new or expanded port, lane widths, etc., would be determined during project design. Until that time, specific impacts on the Canadian port are unknown.
Traffic and Transportation	One commenter has concerns about traffic at the Dunseith LPOE on weekends during construction; specifically, trying to keep as many lanes as possible of traffic open during construction on the weekends in June and July (when the music camp takes place at the IPG).	GSA would create a traffic control plan for construction activities to minimize impacts on traffic flow during construction. GSA is in the schematic design phase of the project and specific detours and traffic control measures would be determined during project implementation.
Land Use Planning and Zoning	One commenter stated that he owns and leases a home on a parcel to be acquired during project implementation. He also noted that the water lines from the IPG distribute water to this home and the Duty-Free America facility.	GSA is pursuing title work to delineate ownership of any properties to be acquired and would work with the landowners once delineated (and prior to construction). GSA would also work with the landowners concerning the future transition to the Turtle Mountain Water System.
Sustainability and Energy Efficiency	One commenter would like GSA to expand on the energy efficiency element of the project.	Based on GSA's 2021 *Facilities Standards for the Public Buildings Service* (P100) and associated 2022 *Addendum*, all new buildings within GSA's inventory must achieve "net zero" (i.e., balancing energy needs with energy produced via renewable sources) standards by 2030. This would be accomplished through sustainable design, reductions in overall energy use, consideration of geothermal energy, and using other renewable energy sources such as photovoltaics (i.e., solar panels).

Topic/Category	Summary of Comments	GSA Response
Utilities	One commenter stated they had an interest in transitioning the Dunseith LPOE to the Turtle Mountain Water System. They would like to install a fire hydrant because there have been multiple emergency-related incidents at the IPG and the IPG Airport.	Thank you for your comment. Although this is not within the scope of the Draft EA, GSA welcomes the opportunity to collaborate with local stakeholders such as the Dunseith ERC on this and other issues.
	Another commenter would also like to work with GSA to transition the Dunseith LPOE to the Turtle Mountain Water System.	The IPG currently provides water to the Dunseith LPOE. The IPG water supply infrastructure is aging, and GSA is investigating the possibility of transitioning to the Turtle Mountain Water System. In terms of funding, this action would be considered separately from the Dunseith LPOE Modernization Project.

TABLE 3. AGENCY COMMENTS ON THE DUNSEITH LPOE DRAFT EA.

Agency	Subcategory	Summary of Comments	GSA Response
North Dakota Aeronautics Commission (NDAC)	Land Use Planning and Zoning	The Draft EA fails to consider potential project effects on the IPG Airport.	GSA has addressed potential project effects on the IPG Airport in the Final EA (Section 3.5, Land Use Planning and Zoning).
	Land Use Planning and Zoning	The newly proposed buildings will likely require clearances through a Federal Aviation Administration (FAA), Obstruction Evaluation and Airport Airspace Analysis process due to the proximity to the airport; in addition, associated impacts should be disclosed in the EA.	As design progresses and actual disturbance areas and project impacts are known, GSA will work with the NDAC and FAA to complete the necessary project clearances. Potential project impacts have been disclosed in the Final EA (Section 3.5, Land Use Planning and Zoning).
		Changes in right-of-way (ROW) access to the IPG Airport are not identified in the EA; in addition, associated ROW impacts should be disclosed in the EA.	As design progresses and actual disturbance areas and project impacts are known, GSA will work with the NDAC to identify and mitigate ROW impacts through temporary easements or other methods, as required. Potential project impacts have been disclosed in the Final EA (Section 3.5, Land Use Planning and Zoning).
		It appears that a portion of the land used for construction of the realigned road on the south side of the project area may need to be acquired from the NDAC; in addition, associated impacts should be disclosed in the EA.	As design progresses and actual disturbance areas and project impacts are known, GSA will work with the NDAC to identify and mitigate impacts on NDAC properties through easements, property acquisitions, or other methods, as required. Potential project impacts have been disclosed in the Final EA (Section 3.5, Land Use Planning and Zoning).
		It appears that a new detention pond would be in the airport departure surface, which has the potential to attract wildlife; as such, FAA Advisory Circular 150/5200-33C “Hazardous Wildlife Attractants on or near Airports” should be adhered to and impacts should be disclosed in the EA.	As design progresses and actual disturbance areas and project impacts are known, GSA will work with the NDAC to identify and mitigate impacts on wildlife by adhering to the FAA Advisory Circular 150/5200-33C, as applicable. For example, the FAA recommends the use of steep-sided, riprap or concrete-lined, narrow, linear-shaped water detention basins. Potential project impacts have been disclosed in the Final EA (Section 3.5, Land Use Planning and Zoning).
		The IPG Airport owns an existing walkway from the airport apron to the Dunseith LPOE; associated impacts on the walkway and pedestrian access should be disclosed in the EA.	Potential project impacts on the walkway and pedestrian access have been disclosed in the Final EA (Section 3.5, Land Use Planning and Zoning).

Agency	Subcategory	Summary of Comments	GSA Response
NDPRD	Biological Resources	No NDPRD properties, Section 6(f) properties under the Land and Water Conservation Fund, or plant and animal species of concern or significant ecological communities are documented in or immediately adjacent to the project area.	Thank you for your input and interest in the project.
North Dakota Department of Transportation (NDDOT)	Traffic Flow for Maintenance Vehicles	We would like to be involved as design of the snowplow turnaround is developed, which would include seeing a template of a snowplow being able to make the maneuver and how this would work with fences, medians, etc.	As design progresses, GSA will continue to consult with NDDOT on traffic flow, specifically for maintenance equipment.
	ROW/Land Ownership	The EA should clarify that GSA is responsible for summer and winter maintenance of infrastructure in the ROW that will be owned by GSA.	GSA is pursuing title work to delineate ownership of any properties to be acquired and would work with the landowners on maintenance responsibilities once delineated (and prior to construction).
		The EA should clarify that NDDOT owns the 2.31 acres of land to be acquired for the project.	GSA is pursuing title work to delineate ownership of any properties to be acquired and would work with the landowners once delineated (and prior to construction).
	Traffic and Transportation	There are concerns with NDDOT's continued access to the IPG during construction.	GSA would create a traffic control plan for construction activities to minimize impacts on traffic flow during construction. GSA is in the schematic design phase of the project and specific detours and traffic control measures would be determined as the design process progresses.
		There are concerns with NDDOT's ability to access the IPG Airport during and following construction.	GSA would create a traffic control plan for construction activities to minimize impacts on traffic flow during construction and ensure full access to existing facilities following construction. GSA is in the schematic design phase of the project and specific detours and traffic control measures would be determined during project design as well as the final design for vehicle access.

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Attachment A – Draft Environmental Assessment Public Notices

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AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA)
County of Bottineau) SS
)

I, Janet Kruk being first duty sworn, on my oath, say that I am the office assistant of the Bottineau Courant, a weekly newspaper of general circulation, published in the city of Bottineau in said county and state, and that the advertisement headed:

GSA to Develop Environmental Assessment for Dunseith Land Port

A printed copy of which is here annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the notice was published in the newspaper proper, and not in a supplement,

For one consecutive week(s) 6/07/2022

GSA TO ASSESS IMPACTS OF DUNSEITH LAND PORT OF ENTRY IMPROVEMENTS AGENCY SEEKS PUBLIC INPUT AND WILL HOST VIRTUAL PUBLIC MEETING

The U.S. General Services Administration (GSA), Rocky Mountain Region, will develop an environmental assessment (EA) for the Dunseith Land Port of Entry (LPOE) project in compliance with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA). The LPOE is located on U.S. Route 281, approximately 12 miles north of the town of Dunseith.

The EA will examine the impacts on natural and cultural resources from potential improvements at the LPOE, including site expansion (up to 2.31 acres), demolition, and new construction.

The purpose of the LPOE project is to enhance commercial and non-commercial operations at the port. The LPOE facilities were constructed in the 1960s and are currently outdated, too small, and served by an inefficient road design.

GSA will host a virtual public and stakeholder meeting on June 13, 2022, from 6 to 7:30 pm CST via Zoom. Interested persons are encouraged to attend and participate in this meeting. Please follow this hyperlink to access the meeting: us06web.zoom.us/j/83190099844?pwd=UFlZZk1ib1dmdnZCUW1Yc2h6TFRsUT09.

Project-related communication and documentation is available on the GSA website at: https://www.gsa.gov/real-estate/gsa-proper-

Straight Matter Lines	**89**	**06/07/2022**
Line Rate	**.70**	
Column Inches	NA	
Column Rate	NA	

ature: Janet Kruk

Total Cost of Legal $62.30

Subscribed and sworn to me before this 8th day of June 2022

Signature: Joan L Wettlaufer

Notary Public State of North Dakota

My Commission expires _____ 20_____

(SEAL)

JOAN L. WETTLAUFER
Notary Public
State of North Dakota
My Commission Expires June 25, 2025

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA)
County of Bottineau) SS
)

CODY LONGIE
Notary Public
State of North Dakota
My Commission Expires Mar. 4, 2025

I, Janet Kruk being first duty sworn, on my oath, say that I am the office assistant of the Bottineau Courant, a weekly newspaper of general circulation, published in the city of Bottineau in said county and state, and that the advertisement headed:

Dunseith LPOE Draft EA

A printed copy of which is here annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the notice was published in the newspaper proper, and not in a supplement.

For one consecutive week(s) 10/25/2022

Straight Matter Lines	**96**	**10/25/2022**
Line Rate	**.70**	
Column Inches	NA	
Column Rate	NA	

Total Cost of Legal $67.20

nature: Janet Kruk

Subscribed and sworn to me before this 26 day of 10 2022

Signature: [signature]

Notary Public State of North Dakota

My Commission expires 3-4 2025

(SEAL)

One Denver Federal Center
P.O. Box 25546 Building 41
Denver, CO 80225

Comments may also be submitted electronically to derrick.rosenbach@gsa.gov. Please ensure the subject line of the email reads: Dunseith LPOE Draft EA. All public comments must be postmarked or submitted electronically by November 24, 2022.

GSA will host an in-person public meeting for the project on November 9, 2022, at 6:00 PM CST, at the Dunseith Emergency Response Center (ERC). The Dunseith ERC is located at 515 Main Street South, Dunseith, ND 58329. GSA will also host a virtual public meeting on November 16, 2022, at 6:00 PM CST via Zoom. Please follow this hyperlink to access the meeting: https://us06web.zoom.us/j/85984398098?pwd=R3VmWWU4UXpFT0hMMHRZVHA0ei9vQT09. Interested persons are encouraged to attend and participate in these two meetings.

About GSA: GSA provides centralized procurement and shared services for the federal government, managing a nationwide real estate portfolio of nearly 370 million rentable square feet, overseeing approximately $75 billion in annual contracts, and delivering technology services that serve millions of people across dozens of federal agencies. GSA's mission is to deliver the best customer experience and value in real estate, acquisition, and technology services to the government and the American people. The GSA's Rocky Mountain Region provides products and services throughout Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming. For more information, visit https://www.gsa.gov/r8 and follow us at Twitter.

10-25

Public Input and Meeting

GSA Releases Dunseith Land Port of Entry Modernization Project Draft EA Agency Seeks Public Input and Will Host Public Meetings

The U.S. General Services Administration (GSA), Rocky Mountain Region, developed a draft environmental assessment (Draft EA) for the Dunseith Land Port of Entry (LPOE) Modernization Project in compliance with the National Environmental Policy Act. The Dunseith LPOE is located on U.S. Route 281, approximately 12 miles north of the town of Dunseith, North Dakota. The Draft EA examines the environmental impacts from potential improvements at the Dunseith LPOE, including site expansion (up to 2.31 acres), demolition, and new construction.

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. The Dunseith LPOE facilities were constructed in the 1960s and are currently outdated, too small, and served by an inefficient road design. The Draft EA is available for public review on the GSA website at: https://www.gsa.gov/real-estate/gsa-properties/land-ports-of-entry-and-the-bil/bipartisan-infrastructure-law-con-

Appendix 7.4 Errata to the Draft EA

February 2023

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ERRATA

An errata sheet is necessary for the project because factual corrections need to be made to the *Dunseith Land Port of Entry Modernization Project Draft Environmental Assessment* (Draft EA). This sheet includes substantive changes to the Draft EA and excludes revisions made to typographical errors. The corrections made herein do not increase the degree of impacts described in the Draft EA or change the determination that no significant impacts will occur under the alternatives. Additions to the text in the Draft EA are underlined, and deleted text is shown in ~~strikeout~~.

Page ES-2, Executive Summary, Table ES-1, Summary of Alternatives, Alternative A

Acquire up to 2.31 acres of land (pending title work) from ~~the North Dakota Department of Transportation (NDDOT)~~ various landowners to the south and east of the Dunseith LPOE.

Acquire up to 2.31 acres of land (pending title work) from ~~the (NDDOT)~~ various landowners (the same as Alternative A).

Page ES-5, Executive Summary, Table ES-2, Air Quality and Climate Change, Alternative A

Indirect long-term beneficial effects on climate change would occur as facilities would be more energy efficient and would produce lower GHG emissions. The new buildings would also be less susceptible to damage from extreme weather or other climatic events.

Page ES-6, Executive Summary, Table ES-2, Land Use Planning and Zoning

Alternative A

Indirect local minor effects would 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. As design progresses and disturbance areas are refined, GSA would continue to work with landowners to identify right-of-way impacts and would 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.

The newly proposed buildings may have indirect local long-term minor effects on the IPG Airport's departure, approach, and runway protection zone surfaces.

Direct local short-term minor effects would occur on the existing pedestrian walkway from the airport apron to the Dunseith LPOE, which is overlapped by the project area.

Changes in ROW access to the IPG Airport may result in direct local short-term minor impacts on access.

Possible land acquisition of a portion of the IPG Airport property, which is overlapped by the project area (see Figure 6), may result in direct local long-term minor impacts on land use.

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. ~~None~~

Alternative B

Same as Alternative A ~~None~~

Page 1, Section 1.0 – Introduction

This Final EA examines the impacts from potential improvements at the Dunseith LPOE, including site expansion (up to 2.31 acres, pending title work); demolition; and new construction.

Page 7, Section 1.4.1, Table 2 – Wildlife

~~Very little wildlife habitat is located in the project area due to the existing highway and human disturbance at the facility.~~ The International Peace Garden (IPG), which is adjacent to the project area, provides important habitat for a variety of migratory birds. Birds migrating in the area may occasionally stop at the IPG to rest or feed. However, the project area contains minimal vegetation, is primarily dominated by mowed grassland and landscaped trees and shrubs, and has high levels of human disturbance; therefore, the Dunseith LPOE ~~is not likely to be an important migratory stopover~~ has very little suitable habitat for most birds and other wildlife relative to other sites nearby.

The stormwater detention pond proposed for the project could, however, attract wildlife and present potential wildlife hazards to aircraft operations at the adjacent IPG Airport. GSA would coordinate with the Federal Aviation Administration (FAA) in regard to the FAA Advisory Circular 150/5200-33C to minimize and/or mitigate potential wildlife impacts on flight operations.

Due to the overall lack of habitat in the project area, and because ~~the project is unlikely to have an adverse effect on wildlife,~~ GSA would coordinate with the FAA to mitigate impacts from the proposed stormwater detention pond, this topic was dismissed from further analysis in this Final EA.

Page 7, Section 1.4.1, Table 2 – Visual Resources

Overall, the effects on the visual quality of the Dunseith LPOE would ~~not be affected by~~ be negligible from the ~~No Action and~~ action alternatives; therefore, this topic was dismissed from further analysis in this Final EA.

Page 7, Section 1.4.1, Table 2 – Utilities

Impacts would not occur under the No Action Alternative.

Page 11, Section 2.2.1.1 – Land Acquisition

Under Alternative A, the site expansion would require GSA to acquire up to 2.31 acres of land, pending title work, from ~~the North Dakota Department of Transportation (NDDOT)~~ various landowners to the south and east of the Dunseith LPOE.

Page 14, Section 2.2.2 – Alternative B – Construct Smaller or Fewer Facilities

Acquire up to 2.31 acres of land from NDDOT various landowners, pending title work (the same as Alternative A)

Alternative B would likely have lower overall upfront costs for construction than Alternative A, but would have higher life-cycle costs.

Page 22, Section 3.2.2.2 – Alternative A – Construct New Facilities (Proposed Action)

GSA would likely conduct a wetland delineation during project design and would continue to coordinate with the U.S. Army Corps of Engineers (USACE) ~~during project design~~ to determine if any potential wetlands would be affected and if a Section 404 permit is necessary for compliance with the Clean Water Act (Erhardt pers. comm. 2022).

Page 22, Section 3.2.2.3– Alternative B – Construct Smaller or Fewer Facilities

Ground disturbance under Alternative B (previously disturbed and undisturbed) would be about 7 acres. Alternative B would have a direct long-term site-specific adverse effect on vegetation from grading activities that would disturb vegetation; however, the effects would be minor because the activities would be mainly in existing previously developed areas and would be 1.5 acres less than Alternative A. Alternative B would also include grading activities in the swales; however, the amount of potential wetlands impacted (up to 0.21 acre, similar to Alternative A) would be minor when compared to the overall wetland habitat in the surrounding area such as the IPG. ~~Alternative B would have a long-term site specific adverse effect on vegetation and potential wetland from grading activities that would disturb the vegetation; however, the effects would be minor because most of the activities would occur in previously disturbed areas and would be 1.5 acres less than Alternative A because there would be less ground disturbance.~~

Page 27, Section 3.4.2.2.2 – Climate Change

Over the long-term, Alternative A would have beneficial effects on climate change as facilities would be more energy efficient and would produce lower GHG emissions from energy usage and energy loss ~~through inefficient insulation and windows~~. The new buildings would also be less susceptible to damage from extreme weather or other climatic events.

Page 28, Section 3.4.2.3 – Alternative B – Construct Smaller or Fewer Facilities

The new buildings would also be less susceptible to damage from extreme weather or other climatic events.

Page 29, Section 3.5.2.2 – Alternative A – Construct New Facilities (Proposed Action)

Under Alternative A, up to 2.31 acres of land from ~~NDDOT~~ various landowners to the ~~west and~~ south and east of the Dunseith LPOE would be acquired (currently in the Agricultural District, as described above). Given the proximity of the area to U.S. Route 281 and the Dunseith LPOE, the area has not been used for agricultural purposes in recent history and does not meet the minimum requirements for an agriculture classification (i.e., 10 acres) under the Rolette County Zoning Ordinance. Use of the proposed acquisition area would primarily be ~~a~~ for transportation ~~use~~ and would include striped traffic, parking, or travel lanes.

During public review of the Draft EA, the North Dakota Aeronautics Commission expressed concerns regarding the project on operations at the IPG Airport. Potential requirements and impacts from the project include the following:

- Indirect local long-term minor impacts on the IPG Airport's departure, approach, and runway protection zone surfaces. The newly proposed buildings may require clearances through an FAA *Obstruction Evaluation and Airport Airspace Analysis* due to the proximity of the airport.

- Changes in ROW access to the IPG Airport, which may result in direct local short-term minor impacts on access.

- Possible land acquisition of a portion of the IPG Airport property, which is overlapped by the project area (see Figure 6) and may result in direct local long-term minor impacts on land use.

- Potential direct local short-term minor impacts on the existing pedestrian walkway from the airport apron to the Dunseith LPOE, which is also overlapped by the project area.

- The proposed stormwater detention pond for the project may attract wildlife and present potential wildlife hazards to aircraft operations at the adjacent IPG Airport, resulting in indirect local long-term minor impacts on aircraft operations.

GSA would coordinate with the FAA with regard to the *Obstruction Evaluation and Airport Airspace Analysis* to address impacts on the IPG Airport's surfaces, and the FAA Advisory Circular 150/5200-33C to minimize and/or mitigate potential wildlife impacts on flight operations. For example, the FAA Advisory Circular recommends the use of steep-sided riprap or concrete-lined, narrow, linear-shaped stormwater detention ponds to control hazardous wildlife (FAA 2020). GSA would also coordinate with the FAA on potential modifications to the pedestrian walkway.

GSA is also working with NDDOT and other landowners on ROW access (see Section 3.9, *Traffic and Transportation*), pending title work. Although the land use or zoning of NDDOT property would not change, impacts ~~on NDDOT property~~ may include traffic delays and temporary U.S. Route 281 lane closures.

~~Therefore, there would be no impacts on land use or zoning because no changes in land use or the zoning district would occur.~~ Overall, there would be direct local minor~~, and local, short-term, and long-term~~ effects on land use because of road and pedestrian walkway construction detours during the short-term and potential property easements or acquisitions over the long-term. As design progresses and ~~actual~~ disturbance areas are refined ~~project impacts are known~~, GSA would continue to work with landowners to identify ROW impacts and would 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.

Page 30, Section 3.5.2.3 – Alternative B – Construct Smaller or Fewer Facilities

Under Alternative B, land acquisition would be the same as Alternative A. Although there would be less construction and ground disturbance under Alternative B, land use impacts would be the same as described under Alternative A ~~because no changes in land use or the zoning district would occur~~.

Page 31, Section 3.5.2.4 – Alternative C – No Action

Figure 6. IPG Airport Surfaces Relative to the Dunseith LPOE.

Page 39, Section 3.8.1, Affected Environment

Building Security

The Dunseith LPOE ~~is more than 45 years old~~ was last renovated nearly 50 years ago and is obsolete in terms of CBP's operational protocols.

Emergency Services

The Dunseith LPOE is served by the Rolette County Sheriff's Office, Dunseith Emergency Response Center (ERC), and also by a network of rural volunteer fire departments, coordinated at the state level (Schumaier pers. comm. 2022).

Page 40, Section 3.8.2.3, Alternative B – Construct Smaller or Fewer Facilities

Building Security

~~During construction, temporary inspection facilities would be smaller than the existing facilities, resulting in local short-term minor adverse impacts on security.~~

Page 40, Section 3.9.1, Affected Environment

The IPG Airport, owned and managed by the North Dakota Aeronautics Commission, is located just east of the project area. The airport consists of a runway with no other buildings or structures (AirNav 2022). Figure 6 in Section 3.5.2 illustrates the proximity of the IPG Airport surfaces relative to the Dunseith LPOE.

Page 41, Section 3.9.2.2, Alternative A – Construct New Facilities (Proposed Action)

This plan would also describe the potential impacts on the nearby access roads and Peace Garden Boulevard during construction and any mitigation measures.

Impacts on the IPG Airport are described above in Section 3.5, *Land Use Planning and Zoning*.

Overall, Alternative A would improve vehicle circulation at ~~in and around~~ the Dunseith LPOE ~~and improve dealing with increased security~~.

Page 42, Section 3.10.1.1, Transitioning to Tribal Water

If the Dunseith LPOE were to transition to this water system, the water line would be connected ~~to the new water system~~ at the existing ~~same~~ connection point near the IPG.

Page 43, Section 3.10.2, Cumulative Effects, Table 9. Land Use Planning and Zoning

There would be ~~no~~ minor cumulative effects on land use and zoning when combined with impacts from the action alternatives, because of the potential for property easements or acquisitions.

Page 43, Section 3.10.2, Cumulative Effects, Table 9. Safety and Security

There would be ~~no~~ negligible effects on site safety and security from the Dunseith LPOE effort to transition to the Turtle Mountain Water System. The reconstructed LPOE would install new pipes

in/under the building and then tie into the IPG at the existing water supply connection. ~~Water would be delivered to the Dunseith LPOE via the same infrastructure as currently exists~~.

Page 44, Section 3.11, Unavoidable Adverse Environmental Effects

Air Quality and Climate Change

~~None~~. Fugitive dust and vehicle emissions would result in short-term site-specific minor adverse impacts on air quality.

Traffic and Transportation

~~None~~. Traffic detours may result in direct local short-term minor adverse impacts on travelers due to temporary delays.

Page 44, 3.12, Local Short-Term Uses of this Project and Maintenance and Enhancement of Long-Term Productivity

~~Long-term benefits of improved traffic flow, space needs, and security of the project would occur at the expense of short-term air quality impacts from equipment needed for new building construction and infrastructure improvements. In addition, potential remediation of USTs would result in a long-term benefit to the Dunseith LPOE. Impacts would be temporary, and proper mitigation measures would be used to prevent long-term effects.~~

~~Short-term gains to the local economy would occur as local businesses and workers provide services and supplies during construction. However, these gains would not enhance the local economy over the long-term.~~

Page 44, Section 3.12 (previously Section 3.13), Irreversible and Irretrievable Commitment of Resources

The conversion of potential wetlands from project implementation would be irretrievable; however, GSA would continue to consult with the USACE during design to determine if a Clean Water Act Section 404 permit is necessary.

Page 46, Section 3.13, Table 11. Summary of Impacts and Mitigation Measures – Vegetation and Wetlands, Alternative B Impacts

Direct long-term site-specific adverse effects on vegetation and wetlands from grading activities would cause disturbance; however, the effects would be minor because most of the activities would occur in previously disturbed areas and would be approximately 1.5 acres less than Alternative A ~~because there would be less ground disturbance~~.

Page 47, Section 3.13, Table 11. Summary of Impacts and Mitigation Measures

Air Quality and Climate Change, Alternative A Impacts

Long-term beneficial effects on climate change would occur as facilities would be more energy efficient and would produce lower GHG emissions. The new buildings would also be less susceptible to damage from extreme weather or other climatic events.

Land Use Planning and Zoning, Alternative A Impacts

Indirect local minor effects would 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.

The newly proposed buildings may have indirect local long-term minor effects on the IPG Airport's departure, approach, and runway protection zone surfaces.

Direct local short-term minor effects would occur on the existing pedestrian walkway from the airport apron to the Dunseith LPOE, which is overlapped by the project area.

Changes in ROW access to the IPG Airport may result in direct local short-term minor impacts on access.

Possible land acquisition of a portion of the IPG Airport property, which is overlapped by the project area (see Figure 6), may result in direct local long-term minor impacts on land use.

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. ~~None~~

GSA would coordinate with the FAA with regard to the *Obstruction Evaluation and Airport Airspace Analysis* to address impacts on the IPG Airport's surfaces, and the FAA Advisory Circular 150/5200-33C to minimize and/or mitigate potential wildlife impacts on flight operations. For example, the FAA Advisory Circular recommends the use of steep-sided riprap or concrete-lined, narrow, linear-shaped stormwater detention ponds to control hazardous wildlife (FAA 2020). GSA would also coordinate with the FAA on potential modifications to the pedestrian walkway.

Alternative B Impacts

Same as Alternative A ~~None~~

Mitigation Measures

As design progresses and disturbance areas are refined, GSA would continue to work with landowners to identify ROW impacts and would 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.

GSA would coordinate with the FAA with regard to the *Obstruction Evaluation and Airport Airspace Analysis* to address impacts on the IPG Airport's protection zone surfaces, and 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. ~~None~~

Page 51, Section 4.0 – Consultation and Coordination

~~Notification of the Draft EA public comment period was provided via a press release in the *Bottineau Courant*, *Minot Daily News*, and *Grand Forks Herald*; letters to interested stakeholders; and the GSA project website (link provided above). The notification included instructions on how to review and~~

~~submit comments on this Draft EA. Information on how to provide comments is also included in the Executive Summary of this Draft EA.~~

4.1.2 Public Review of Draft EA

Public comments on the Draft EA were solicited for 30 days beginning on October 24, 2022, and ending on November 24, 2022. Public notification of the Draft EA availability, comment period, and public meetings were distributed through the following sources:

- A press release announcing the availability of the Draft EA and other project-related communication and documentation on the GSA website at: https://www.gsa.gov/real-estate/gsa-properties/land-ports-of-entry-and-the-bil/bipartisan-infrastructure-law-construction-project/north-dakota
- A public notice displayed at:
    - Dunseith LPOE, 10947 U.S. Route 281, Dunseith, North Dakota
    - Dales Café, 612 Main Street, Dunseith, North Dakota
    - ARCO Gasoline Station, 612 Main Street, Dunseith, North Dakota
    - Cenex Gasoline Station, 401 U.S. Route 2, Rugby, North Dakota
    - A legal notice published in the October 24, 2022, edition of the Minot Daily News, the October 25, 2022, edition of the Bottineau Courant, and the October 26, 2022, edition of the Grand Forks Herald
- Stakeholder letters mailed to the project mailing list (excluded herein)
- Tribal letters sent to the following potentially interested tribes (excluded herein):
    - Turtle Mountain Band of Chippewa Indians
    - Mandan, Hidatsa, and Arikara Nation/Three Affiliated Tribes
    - Spirit Lake Tribe of Ft. Totten

As part of the public review process, GSA hosted an in-person public meeting on Wednesday, November 9, 2022, from 6:00 pm to 7:30 pm CST at the Dunseith ERC. The meeting included a presentation by GSA staff, and GSA staff were available after the presentation to answer questions from the public. Six members of the public attended the meeting.

GSA also hosted a virtual public meeting on November 16, 2022, from 6:00 pm to 7:30 pm CST via Zoom. The virtual meeting included a presentation by GSA staff and contractors, and GSA staff answered questions from the public that were submitted via the Zoom chat box. Three members of the public attended the virtual meeting. A summary of all public comments received during scoping and public review of the Draft EA, as well as GSA's responses to those comments, can be found in Appendix 7.3.

After considering the issues identified during internal and external scoping and during public review of the Draft EA, GSA prepared this Final EA, which is available for public review for 30 days, from February 27, 2023 through March 29, 2023 (available at: (https://www.gsa.gov/real-estate/gsa-properties/land-ports-of-entry-and-the-bil/bipartisan-infrastructure-law-construction-project/north-dakota).

Page 52, Section 4.0 – Consultation and Coordination

4.3 State Agencies

GSA sent a scoping notice to NDDOT on May 26, 2022, and Draft EA public notice on October 21, 2022, to solicit input on the project. GSA met with NDDOT on June 27, 2022, to discuss the potential NDDOT land acquisition of up to 2.31 acres (pending title work).

GSA sent a scoping notice to the North Dakota Aeronautics Commission on May 26, 2022, and Draft EA public notice on October 21, 2022, to solicit input on the project. NDAC expressed concerns with ROW access to the IPG Airport, potential land acquisition, impacts on the existing pedestrian walkway, and the proposed stormwater detention pond, which has the potential to attract wildlife. GSA will continue to work with the North Dakota Aeronautics Commission through the design process to mitigate impacts on the IPG Airport.

Page 53, Section 4.0 – Consultation and Coordination

4.4 American Indian Tribes

~~GSA sought tribal input to help inform the analysis of the project. Affiliated tribes were sent letters on May 26, 2022, to inform them of the scoping period for the project and upcoming preparation of the Draft EA (Appendix 7.1), and include the following:~~

- ~~Turtle Mountain Band of Chippewa Indians~~
- ~~Mandan, Hidatsa, and Arikara Nation/Three Affiliated Tribes~~
- ~~Spirit Lake Tribe of Ft. Totten~~

~~GSA met with the Spirit Lake Tribe and Turtle Mountain Tribe on July 28, 2022, to solicit input on the project. The tribes expressed overall support for Alternative A and would like to supplement GSA's cultural resources analysis by walking the site with GSA prior to construction to determine if tribal resources are present in the area. The tribes also requested a tribal monitor presence during initial ground-disturbing activities in the event tribal resources are uncovered.~~

GSA sought tribal input to help inform the environmental analysis for the project. Affiliated tribes were sent letters on May 26, 2022, to inform them of the project's scoping period and the preparation of a Draft EA, and included the following:

- Turtle Mountain Band of Chippewa Indians
- Mandan, Hidatsa, and Arikara Nation/Three Affiliated Tribes
- Spirit Lake Tribe of Ft. Totten

GSA also met with the Spirit Lake and Turtle Mountain Tribes via telephone on July 28, 2022, to solicit input on the project. The tribes expressed overall support for the proposed action and requested to supplement the Cultural and Historic Resource Survey (see Section 3.3.1) by walking

the site with GSA staff prior to construction to determine if tribal resources are present in the area. The tribes also requested a tribal monitor's presence during initial ground-disturbing activities in the event tribal resources are uncovered.

GSA again sent letters to tribal representatives on October 21, 2022, regarding the availability of the Draft EA for their review and comment. The letter provided additional background information on the project, the alternatives considered in the Draft EA, consultation and coordination activities that have occurred between GSA and other federal, state, or local organizations, and how the tribes can provide their comments or concerns on the project.

On October 26, 2022, GSA met with representatives of the Spirit Lake and Turtle Mountain tribes at the Dunseith LPOE. GSA provided an overview of the proposed action using the preferred alternative site map to illustrate its layout. The group walked the project area, including undeveloped areas proposed for development, buildings proposed for demolition, and the proposed land acquisition location—including a private residence at the southeast corner of the project area. The group was also looking at the site to confirm conclusions made in the Cultural and Historic Resource Survey (ERO 2022a).

A Turtle Mountain tribal representative inquired if the main and storage LPOE buildings would be replaced, and GSA stated they would be. There was also a discussion of connecting the Dunseith LPOE to the Turtle Mountain Water System. GSA would need to make a formal request via email to discuss tying into this water system; the domestic water line projects in the area are grant funded through the U.S. Department of Agriculture.

The tribes expressed gratitude for the opportunity to review the project and look forward to the future Dunseith LPOE buildings aesthetically connecting with the local culture and community. The Turtle Mountain Tribe would like the opportunity to salvage buildings, building components, and equipment planned for demolition, if possible. Lastly, GSA notified both tribes of the in-person public meeting at the Dunseith ERC that was held on November 9, 2022. One tribal member attended the public meeting.

On January 4, 2023, GSA sent an email to tribal representatives to again solicit comments on the Draft EA and Cultural and Historic Resource Survey while this Final EA was being prepared.