



U.S. General Services Administration

Environmental Impact Statement for the Kenneth G. Ward (Lynden) and Sumas Land Ports of Entry Modernization and Expansion Projects Lynden and Sumas, Washington

Volume II – Appendix D Draft EIS Comments and Responses

Final



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ACRONYMS

Acronym	Definition
AADT	Annual Average Daily Traffic
ACM	asbestos-containing material
ADA	Americans with Disabilities Act
AG	Agriculture
APE	area of potential effect
AST	aboveground storage tank
ASTM	American Society for Testing and Materials
BC	British Columbia
BCC	birds of conservation concern
BGEPA	Bald and Golden Eagle Protection Act
BMP	best management practices
BNSF	Burlington Northern Santa Fe Railroad
BTS	Bureau of Transportation Statistics
CAA	Clean Air Act
CBP	Customs and Border Protection
CBSA	Canada Border Services Agency
CCD	census county division
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CGP	Construction General Permit
CH ₄	methane
CO ₂	carbon dioxide
COG	Council of Government
COV	commercially owned vehicle
CWA	Clean Water Act
dB	decibels
DFA	Duty Free Americas
dBA	decibels on an A-weighted scale
DOSH	Division of Occupational Safety and Health
EIS	Environmental Impact Statement
EISA	Energy Independence and Security Act
EO	Executive Order
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
GHG	greenhouse gas
GMA	Growth Management Act
GSA	U.S. General Services Administration
GWP	global warming potential
HAP	hazardous air pollutant
HSS	highways of statewide significance
HUC	Hydrologic Unit Code
IDP	Inadvertent Discovery Plan

Acronym	Definition
IECC	International Energy Conservation Code
IPaC	Information for Planning and Consultation
LBP	lead-based paint
LEED®	Leadership in Energy and Environmental Design
LPOE	Land Port of Entry
LRR	Land Resource Region
LUST	leaking underground storage tank
MBTA	Migratory Bird Treaty Act
MLRA	Major Land Resource Area
mph	miles per hour
MPO	Metropolitan Planning Organization
msl	mean sea level
MTCA	Model Toxics Control Act
N ₂ O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAICS	North American Industry Classification System
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NII	non-intrusive inspection
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NSPS	New Source Performance Standard
NSR	New Source Review
NWCAA	Northwest Clean Air Agency
O ₃	ozone
OSHA	Occupational Health and Safety Administration
PBS	Public Buildings Service
PCB	non-polychlorinated biphenyl
PDS	Program Development Study
PM _{2.5}	very fine particulate matter 2.5 micrometers or smaller
PM ₁₀	fine particulate matter 10 micrometers or smaller
POV	privately owned vehicle
ppm	parts per million
PPV	peak particle velocity
PSD	Prevention of Significant Deterioration
PSE	Puget Sound Energy
RCRA	Resources Conservation and Recovery Act of 1976
RCW	Revised Code of Washington
ROD	Record of Decision
ROI	region of influence
SC-GHG	social cost of greenhouse gases
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SITES	Sustainable Sites Initiative

Acronym	Definition
SO ₂	sulfur dioxide
SPCC	spill prevention, control, and countermeasures
SR	State Route
STIP	State Transportation Improvement Program
SWPPP	stormwater pollution prevention plan
TC	Tourist Commercial
THPO	Tribal Historic Preservation Officer
TMDL	Total Maximum Daily Load
U.S.C.	U.S. Code
USDA	U.S. Department of Agriculture
U.S. DOT	U.S. Department of Transportation
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UST	underground storage tank
VOC	volatile organic compound
vpd	vehicles per day
vph	vehicles per hour
WAC	Washington Administrative Code
WDFW	Washington Department of Fish and Wildlife
WHO	World Health Organization
WNHP	Washington Natural Heritage Program
WOTUS	Waters of the U.S.
WRIA	Water Resource Inventory Area
WSDOT	Washington State Department of Transportation
WSS	Web Soil Survey

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APPENDIX D PUBLIC COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT AND U.S. GENERAL SERVICES ADMINISTRATION'S RESPONSES

D.1 INTRODUCTION

The public has a critical role in helping the U.S. General Services Administration (GSA) understand the environmental impacts of the Proposed Action analyzed in the Environmental Impact Statement (EIS) for the Kenneth G. Ward (Lynden) and Sumas Land Port of Entry (LPOE) Modernization and Expansion Projects. Public participation promotes transparency, facilitates better decision-making, and helps federal agencies identify data gaps and sources of potential concern regarding the environmental impacts of a proposed action.

D.2 RESPONSES TO PUBLIC COMMENTS

This section is organized by unique comment identification numbers based on comments received on the Draft EIS from federal agencies, local organizations, and private citizens via hard copy comment form or verbally at the public hearing meeting, or via email during the 45-day public comment period, which ended on September 26, 2024. Each comment has been assigned a unique comment identification number based on the order in which it was received. GSA reviewed all comments received and categorized them by subject, which enabled GSA to provide consistent responses to similar comments. Each subsection below begins with the original comment received by GSA on the Draft EIS, followed by GSA's response. GSA has thoroughly considered all of the input received and has responded to the public comments in this document. Revisions to the Final EIS have been made in response to comments where appropriate. Some of GSA responses include referring the commentor to specific sections or appendices in the Final EIS.

Comment ID #1: Amphibian Refuge, Eric Johnson

Subject: **Biological Resources**

Letter Comment submitted via email: August 12, 2024

Dear Mr. Manning:

Amphibian populations are declining worldwide, and amphibians are experiencing high extinction rates due to habitat loss, chytrid fungus, pollutants, pesticides, and climate change. Amphibians are the most threatened class of vertebrates.

According to the DEIS, there are no wetlands or surface waters within the project areas, which should limit project effects on amphibians. Please verify that the project will not affect amphibians in adjacent or downstream habitats.

Thank you for this opportunity to comment.

GSA Response: No aquatic species, including amphibians, are anticipated to be directly or indirectly impacted due to the lack of surface water features in the project areas. The USFWS's Information for Planning and Consultation (IPaC) was queried for federally listed, proposed, or candidate threatened and endangered species and designated critical habitats potentially occurring within both projects' regions of influence. Of the species that could occur in Whatcom County, IPaC identified the Oregon spotted frog. The Lynden and Sumas LPOE project areas do not contain any surface waters or wetlands, and this species is highly aquatic and is rarely found away from water sources. GSA determined that there would be no impact on this species from the proposed projects. In addition, GSA determined that the proposed projects may affect, but were not likely to adversely affect, any protected species and documented this determination in an informal consultation letter that was submitted to the USFWS (see Section 3.4 of the Final EIS and Appendix A).

Comment ID #2: Private Citizen, Meg Krieg

Subject: Traffic and Transportation

Comment Form submitted via email: September 4, 2024

The "greenest" building is the one still standing. Traffic flow and efficiency in Sumas would be improved by opening more of the existing lanes. Destroying much of downtown Sumas does not make sense as this is a staffing issue. Buildings and roads built above the existing elevation will only cause more flooding in Sumas. Raising the elevation of the POE will cause water to flow back into Sumas proper. Using words from the LPOE Alternative 1, the roads to and from the Ports of entry are limited, inefficient, undersized, and outdated for expanded port traffic. Badger Road, Hwy 9, Guide Meridian and I'm assuming Birch Bay Lynden Roads are not built to safely and efficiently handle increased traffic flows. It seems like putting the cart before the horse to have expanded ports when our existing road structures are not improved. Human health and safety are in jeopardy when expanding the border with crummy two-lane highways.

GSA Response: Section 1.3.2 of the Final EIS identifies various conditions at the existing Sumas LPOE resulting in traffic congestion and safety issues, including spatial constraints for commercial vehicles and lack of queue space. Northbound traffic congestion and delays are generally caused by queuing for the Canadian LPOE, which is outside the jurisdiction and control of this project. The Sumas LPOE modernization and expansion project would have a long-term beneficial impact on safety, security and congestion at the LPOE. Issues related to queuing, safety and security would be addressed, to the extent possible. In addition, the updated pedestrian routing would provide more space for processing within the Main Port Building and would provide an improved pedestrian route through the LPOE. No long-term traffic volume impacts on SR 9 would result. Traffic volumes on SR 9 would be anticipated to increase due to normal growth and not due to the LPOE modernization and expansion project. Under normal traffic growth conditions, the anticipated level of service would operate at levels of service A or B, which is better than the standard level of service C set by WSDOT. No traffic volume capacity or level of service impacts would be anticipated (See Section 3.9.2.3). GSA will only upgrade and improve transportation networks within the proposed limits of disturbance as shown in Section 2.3.2. GSA will work closely with WSDOT, Whatcom County, and the City of Sumas for all work occurring in the proposed limits of construction. GSA has no jurisdiction over transportation networks outside the project area.

Complete avoidance of floodplains for this project is not considered practicable, as the Sumas LPOE is spatially constrained by a railroad, residences, and other surrounding infrastructure. GSA prepared a Floodplain Assessment and Statement of Findings, which is included in the EIS as Appendix B. The Floodplain Assessment and Statement of Findings determined that the project would not result in major adverse impacts to the 1-percent annual-chance and 0.2-percent annual-chance floodplains and that no effects to lives and property associated with floodplain disturbance would be anticipated. Although the final design of the proposed LPOE is not yet available, GSA is coordinating with the appropriate federal, state, and local agencies to provide a design that maintains or restores, to the maximum extent technically feasible, the predevelopment hydrology of disturbed areas, and that minimizes impacts to the greatest extent practicable. Final design would incorporate measures specified in GSA's P100 guidelines to reduce or manage stormwater flows as well as impacts to floodplains; comply with the American Society of Civil Engineer's ASCE-24 standard (*Flood Resistant Design and Construction*); comply with Section 438 of the Energy Independence and Security Act; adhere to conditions within the USEPA National Pollutant Discharge Elimination System permit that would be acquired for the project; and consider the Department of Ecology's Stormwater Manual for Western Washington when designing the permanent stormwater management system for the modernized and expanded LPOE. It is simply noted that these same requirements would apply to all projects, not just the LPOE modernization and expansion, that might occur now or in the future within the project's limits.

Additional details may be found in the Floodplain Assessment and Statement of Findings (Appendix B).

Comment ID #3: Private Citizen, Craig Ausland

Subject: Traffic and Transportation and Alternatives

Comment Form submitted via email: September 4, 2024

#1 Issue: Traffic flow. Under the proposals, both passenger and freight vehicles will be as now - Sumas main POE. The problem is the roads south are not adequate! Proposal: open Lynden POE 24 hours. Increase the commercial facilities at the Lynden POE and do not greatly increase the commercial at Sumas. The main goal should be to route traffic thru Lynden toward I-5 before entering city of Lynden and to overcrowded Guide Meridian Road. #2: subsidize the Canadians to have all their lanes open reducing future back up in Sumas. Sumas Alt #1 is my preference. Lynden Alt #3 or 4. Save the Sumas environment - no new buildings!

GSA Response: Section 1.3.2 of the EIS identifies various conditions at the existing Lynden and Sumas LPOEs resulting in traffic congestion and safety issues, including spatial constraints for commercial vehicles and lack of queue space. Northbound traffic congestion and delays in Sumas are generally caused by queuing for the Canadian LPOE, which is outside the jurisdiction and control of this project. Modernizing and expanding the Lynden LPOE will make it more efficient for processing and inspecting commercially owned vehicles through the Lynden LPOE. In addition, the Lynden and Sumas LPOE modernization and expansion projects would have a long-term beneficial impact on safety, security and congestion at the LPOEs. Issues related to queuing, safety and security would be addressed, to the extent possible.

In the vicinity of the Lynden and Sumas LPOEs, no long-term traffic volume impacts on SR 539 or SR 9 would occur. Traffic volumes on SR 539 and SR 9 would be anticipated to increase due to normal growth and not due to the LPOE modernization and expansion projects. The proposed improvements to the LPOEs are not anticipated to result in any diversions or shifting of traffic from other LPOEs. Under normal traffic growth conditions, the anticipated level of service at the Lynden and Sumas LPOEs would operate at levels of service A or B, which is better than the standard level of service C set by WSDOT. In addition, no traffic volume capacity or level of service impacts would be anticipated (See Sections 3.9.2.2 and 3.9.2.3). GSA will only upgrade and improve transportation networks within the proposed limits of disturbance as shown in Sections 2.3.1 and 2.3.2. GSA will work closely with WSDOT, Whatcom County, and City of Sumas for all work occurring in the proposed limits of construction. GSA has no jurisdiction over transportation networks outside the project area.

Comment ID #4: Private Citizen, Ana Mendoza

Subject: Traffic and Transportation, Noise, and Health and Safety

Comment submitted via email: September 4, 2024

Hello, hope this email finds you well. After today's meeting I was left with some questions. According to the planning presented, the buildings contained in the areas outlined with the color blue presented in the document are the areas that would be affected during the construction process, I attached the revised document below for precise reference.

file:///C:/Users/emman/Downloads/Draft%20EIS_Lynden-Sumas%20LPOE_August%202024_Volume%20II_Appendix%20A_PART%20_0.pdf

Based on the information contained in this document page 34 image A80. The idea presented in this image happens to indirectly affect my residence, I say indirectly as the house itself is not one of the buildings that

needs to be relocated but would be involved in the construction zone if GSA decides to go with this port of entry redevelopment option. Here is an image to help reference the questions I will list below.

[Image redacted for privacy reasons]

The area I am marking in the image with blue is the area where I currently park my vehicle, the area in red is the area where my current residence is.

If this construction plan is chosen, the questions are the following: Where could I park my vehicles within a short/reasonable distance and without incurring any violations of the parking regulations code or that can guarantee that my vehicle would not be vandalized overnight in the time span of the construction?

Assuming that the area where I park my vehicle is not affected, how do I access this area during the construction process? Since again I mentioned my home would be in the middle of the areas to be built if this plan is followed.

Now in terms of noise, I am a health professional, I work more than 12 hrs per day. With this said, I need to have adequate rest to be able to provide the care and attention required in my work area to ensure adequate care to my patients, during the construction I would be exposed to the inconvenience of sleep deprivation due to the noise that this project would generate.

Can GSA guarantee that there will be no disturbances during the evenings and early mornings in order to ensure proper rest for the inhabitants of the affected area?

More importantly, members of my family suffer from respiratory illnesses such as chronic bronchial sinusitis and asthma, both of which are triggered by dust and contamination, autism - the noise would be an issue, all of which is expected to happen during the event of a construction. Perhaps unimportant to some, but my pets suffer each of the health problems too, asthma, anxiety and heart disease, which brings me back to the noise and contamination that construction would generate as it would trigger episodes that affect the health of my pets and my brother. medical costs (in the case that my brother needs intervention and treatment), veterinary costs (and medicines for my pets) are somewhat excessive every time they need to be intervened and I do not have the ability to pay these expenses on a daily, weekly or biweekly basis. That said, is there any temporary relocation alternative within the timeframe of the construction process? If not, will GSA be willing to cover the medical and veterinary expenses that may be incurred due to the exposure to noise and environmental pollution that will be generated during the construction process? Thank you in advance for your attention, I will be looking forward to your answers.

GSA Response: During construction, traffic networks to businesses and residences near the limits of construction and along SR 9 should not be limited or closed. Access to your property will still be available via Sumas Avenue. There may be times that the area currently used for your residence's parking may be limited or unavailable. However, GSA will coordinate with you during the construction timeframes when this could occur and inform you of other parking options.

Contractors are scheduled to work during daylight hours (6 AM to 6 PM) to the greatest extent possible during construction, which should minimize potential noise impacts to your residence during the construction phase. Potential construction noise impacts would be minimized to the extent practicable utilizing standard noise control measures, such as equipment noise controls (e.g., mufflers), limitations or prohibition of equipment idling, minimizing equipment usage to short periods of time to the extent possible, and limitations or prohibitions on running equipment for extended periods when not necessary (see Section 3.10.2.6). Operational noise after LPOE modernization and expansion would be similar to noise levels experienced during existing conditions.

GSA understands that the construction would be adjacent to some residences and businesses, and they could experience additional noise and other inconveniences during construction. However, there are no funding avenues to relocate families during construction or to pay for medical and veterinary expenses.

GSA will coordinate with residences and businesses adjacent to the limits of disturbance to discuss their concerns and address any questions.

Comment ID #5: Faber Construction, Darren Leyenhorst

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 6, 2024

As a long term resident of Whatcom County and Sumas - and being a local General Contractor - we would very much like to see this project be open to all for bidding. We do not want this project to be under a PLA or CWA. Having it with these restrictions would not allow most local contractors and most workers be able to participate in the work being performed. Over 85% of the construction work force in Washington State is non-union and/or people and contractors who prefer an open shop and open competition. If this were a PLA it would severely limit competition and take the money earned out of our local community. The vast majority of contractors and workers in our area are open shop workers. Keeping this local would keep costs down for the contract and for workers. Additionally, with the prevailing wage rules - workers would be able to keep more of these good family wages for themselves rather than having a portion of their wage being taken by the union and having some of their retirement benefits held by unions. We would like workers to keep as much of these wages for their benefit. Having a PLA will restrict smaller subcontractors and minority contractors from bidding on the work as they can't afford the cost of managing and implementing the PLA for their scope of work. We believe by utilizing local contractors there will be less barriers for workers who can work close to home. NO PLA'S PLEASE!

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #6: NW Laborers, Seth Newsome

Subject: Outside the Scope of the EIS

Comment submitted via email: September 9, 2024

Some examples of reasons why a PLA Matters:

1. Ensures Quality and Safety: A PLA guarantees that only the most skilled and highly trained workers will be on the job, leading to higher quality construction and improved safety standards.
2. Supports Local Workforce: PLAs prioritize hiring local workers, providing job opportunities that strengthen our communities and support local economies.
3. Fair Wages and Benefits: PLAs secure fair wages, benefits, and working conditions for all workers, ensuring that the project's workforce is compensated fairly for their skills and expertise.
4. Promotes On-time, On-budget Delivery: PLAs help manage project costs and timelines, minimizing delays and disputes that can arise in large-scale public projects.

On behalf of our 1,100 members, including journeyworkers and apprentices who live and work in this area, we are writing to express our strong support for Project Labor Agreements (PLAs).

Our members are proud Construction Craft Laborers, and we firmly believe that PLAs are key to strengthening both our workforce and our local economy.

Thank you for your continued support!

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #7: Faber Construction, Greg Faber

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 9, 2024

Having grown up in Sumas currently living in Lynden, and working in the heavy construction industry, I'm excited to hear about two large opportunities for work in our back yard. I don't ask for favors, and I don't believe anyone is owed the project, in part or in whole...There should be no special treatment of any race, gender or demographic. by giving it to some, you are excluding others, and last i checked, we are all Americans and should have equal opportunity to participate in these projects regardless of race, gender, demographic, union or non-union. Do not let special interests eliminate what should be equal opportunity to bid on this project. Let there be a fair playing field for all contractors to participate. No PLA's please.

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #8: Lumni TERO, Marcos Bourassa

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 6, 2024

Tribal Labor Agreement

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #9: Lumni TERO, Tashina Roberas

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 6, 2024

Tribal Labor Agreement

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #10: Lumni TERO, Patsy Wilson

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 6, 2024

Tribal Labor Agreement

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #11: Lumni TERO, Breyomma Rosario

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 6, 2024

Tribal Labor Agreement

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #12: Lumni TERO, Aaliyah Rosario

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 6, 2024

Tribal Labor Agreement

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #13: Lumni TERO, Danielle Perrin

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 6, 2024

Has a lot of information that I didn't know about. Hoping to have more work in the future, only concern is childcare for my husband and I.

GSA Response: This comment is Outside the Scope of the EIS.

Comment ID #14: Lumni TERO, David Casimir

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 6, 2024

Native American job preference.

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #15: Lumni TERO, John Perrin

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 6, 2024

I learned alot about things I didn't know about.

GSA Response: This comment is Outside the Scope of the EIS.

Comment ID #16: Lumni TERO, Dena Jefferson

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 6, 2024

Tribal Labor Agreement.

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the bidding and hiring process once we reach that stage.

Comment ID #17: Lumni TERO, Ryan Pantalia

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 6, 2024

TLA. Tribal Labor Agreement.

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #18: Sumas Connection, LLC, Fred Pakzad

Subject: Land Use

Comment Form submitted via Court Reporter: September 4, 2024

I have -- I bought property for purpose of UPS years ago, and I went to demolishing it. My first step of the work was demolishing interior of the building, which a portion of it is shipping and receiving, then a restaurant and bar. I demolish everything in order to build to UPS, standard operation for UPS. And the restaurant is unique for the local manager to live there, which I did. I build a unit for the local manager.

I almost finish the restaurant inside and almost finish with the UPS. They came to inspect the location and everything. We talked about finishing the interior completely and talked about wait until September, and we may come and my unit is exactly what is required, even if they want to extend the parking lot and nothing else.

My property is two: One is the building; one is a piece of land next to the border. I don't mind to chip the piece of land or whatever they want to use, but I am in this operation. I spend money and time and energy and also obligate myself for UPS to build the UPS and the UPS franchise in Whatcom County.

I have one in Point Roberts that I build from scratch, and I rent the place in Blaine and remodeled it, and this is a third one in Whatcom County which I have to do it. And I'm waiting for three years, and this is -- I can open the UPS side of it two, three months, and the restaurant side of it in four or five months, but everything is ready.

I have to decorate inside of it, but the building structure itself is ready. But the decoration of the UPS, I have to do it. The restaurant, in my feeling, I can finish. And the building for the local manager to live is already finished. It's two bedroom, bathroom, kitchen.

Now, I am here. I don't want to create that I'm looking for money. No, I just want to make sure either I finish what I have to do because I've done a lot of work on it. In a matter of two or three more months, it become operational. You know, if it takes one or two years, if GSA is going to buy it, I don't mind. I can finish it then.

Or if they don't do anything, if GSA does not go further and stop here -- they are going to come in and inspect everything. I don't want to demolish everything and build again. I don't mind to do it, but I just want to show my good faith. I am not going to stop project, and I'm not looking to make money. I just want to make sure I perform my obligation with my existing operation of UPS.

And I don't want to jeopardize my license at Point Roberts and Blaine because I cannot perform here. That's my main goal. I want to make sure I finish it first. And then if GSA come buy it, I cannot argue it. Okay. If the government is going to buy it, I am going to build somewhere else.

Even if they say, Forget it. Don't build anything here. Go buy another piece of land in Sumas and build it there. I can do that. I want to make sure I am comfortable with my other operation because here, I am almost going to finish it for restaurant. 90 percent finished for the UPS, but I don't know what to do.

The inspector saw it a few months ago. They said wait until September. Don't do anything. Then make a decision, which is why I'm here right now to talk to you to see what comes out of it and maybe it will resolve. Don't do anything. Give me a couple weeks. We are going to make an offer to buy it. Finish it and then make a offer.

Either way, I'm okay. I'm not saying you have to do this. Whatever they suggest, I am okay with it. I can finish it. Go in operation for 1 year or 2 years or 12 months or 3 years. I don't mind, but if I go find another piece of land, and get it done, but I'm not getting paid money for it. We are going to get it. We're going to pay you money one year. That is not what I'm after. I want to finish everything, perform my obligation with UPS.

GSA Response: GSA has received your response, and we are taking your comment into consideration. GSA will provide relocation assistance for applicable stakeholders in accordance with the Uniform Act, as enacted in the *Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs* (49 CFR Part 24). GSA will negotiate with private landowners as applicable during the land acquisition process to provide fair compensation (See Section 3.11.2.3). GSA has already conducted 1-1 discussions with each potentially impacted property owner, where estimated timelines and resources and benefits were all disclosed to the potentially impacted owners.

Comment ID #19: American Legion Post 212, Stephen Jordan

Subject: Land Use

Comment Form submitted via Court Reporter: September 4, 2024

Basically what I'm looking at is I have 100 members here and each one of them is an owner, a stakeholder, in that I need to make them all happy. They all have concerns. Okay. We're going to take it in shorts, or they're going to take advantage of us because we're veterans, and I have to kind of smooth that over and go, Okay, no, we have certain -- or they have certain guidelines that they're supposed to have to meet.

In the meantime, we don't know how much we're going to get, how much we're going to have to work with, where we're going to go. And weather here in the wintertime is not a time you want to get kicked to the curb. So have a better idea of when, where, how much, and what we're going to be able to do with it to replace this to make my members happy.

Because it's not like there's one business owner here to have to negotiate with. They have to negotiate with 100 stakeholders because we have to have -- I can't sell -- or the legion can't sell to the GSA without having 60 percent of the members vote for it. It's in our bylaws. I couldn't give it to you if I wanted to.

So if I have 59 percent vote yes and the rest say, Huh-uh, I can't sell. And right now, without knowing where we're at, you know, or a better idea even to get a decent idea of where we're at, what we're going to be able to do with it, I'm in a hard place. So any help in that would really be greatly, you know, helpful.

GSA Response: GSA has received your response, and we are taking your comment into consideration. GSA will provide relocation assistance for applicable stakeholders in accordance with the Uniform Act, as enacted in the *Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs* (49 CFR Part 24). GSA will negotiate with private landowners as applicable during the land acquisition process to provide fair compensation (See Section 3.11.2.3). GSA has already conducted 1-1 discussions with each potentially impacted property owner, where estimated timelines and resources and benefits were all disclosed to the potentially impacted owners.

Comment ID #20: Northwest Building and Construction Trades Council, Justin Palachuk

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 12, 2024

Project Labor Agreement

The community needs project labor agreements. Supports local workforce: PLAs prioritize hiring local workers, providing job opportunities that strengthen our communities and support local economies.

Ensures quality and Safety: PLA guarantees that only the most skilled and highly trained workers will be on the job, leading to higher quality construction and improved safety standards.

I am currently the President of the Building Trades that covers the jurisdiction for the projects, I strongly support Biden's executive order on these Mega projects must be PLA's.

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #21: IBEW Local 191, Andrew Vander Stoep

Subject: Outside the Scope of the EIS

Comment submitted via email: September 17, 2024

I am writing to support a PLA on the Sumas and Lynden projects.

Is this the right email for public comment on these?

Thank you.

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #22: Chuckanut Health Foundation, Erin Lynch

Subject: Outside the Scope of the EIS

Comment submitted via email: September 19, 2024

Hello, Lynden LPOE and Sumas LPOE project leaders,

I appreciate the opportunity to submit comments on the Lynden Port of Entry and Sumas Port of Entry projects. Thank you for taking the time to engage with the community on these projects.

I've been involved in efforts to expand childcare access throughout Whatcom County, and can state with confidence that there continues to be a drastic child care shortage, especially in the north county. The Healthy Children's Fund has not yet addressed the affordability of care, nor expanded the workforce required to meet care demands, and there is no flexible drop-in care for shift workers with extended hours. This will be an issue for the Port of Entry projects, where workers will require childcare, and failure to plan and expand access and address affordability could further exacerbate the challenges families in these areas are already facing.

In looking at the United Way of Whatcom County's recent ALICE data report, we can also see that over 1/3 of residents in North County are in the gap between the poverty level and the level of being able to afford daily needs. Childcare is the single largest line item in these family's budgets, and that could become even more challenging unless we are able to leverage the Healthy Children's Funding and potential resources from these projects to make long-term, sustainable improvements in our childcare landscape.

This is an opportunity to think creatively and make thoughtful decisions - and I implore you to take advantage of the benefits of these taxpayer funded investments to expand childcare access.

GSA Response: This comment is outside the scope of the EIS. GSA is sympathetic to your concerns; however, this is for the modernization and expansion of the Lynden and Sumas LPOEs' infrastructure. Construction workers are not anticipated to bring their families during the construction phase of the project. As discussed in Sections 2.3.1.2 and 2.3.2.2, the Lynden and Sumas LPOEs may increase staffing by 20 and 26 personnel, respectively. Existing LPOE staff needs related to childcare in the region are already addressed. Any potential increase in staffing, noted as maximum projections contingent on sufficient funding, is unlikely to have a meaningful impact on regional childcare facilities unless the majority of the new staff have minor children. However, this scenario remains speculative and cannot be accurately quantified at this time.

Comment ID #23: OPCMIA Local 528, Jordan Russeff

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 23, 2024

I am writing to express my strong support for the inclusion of a Project Labor Agreement (PLA) in the Sumas and Lynden Land Ports of Entry Modernization and Expansion Project. A PLA will be crucial in

ensuring the project is completed to the highest standards, benefiting both the workers and the broader community.

A PLA provides several key advantages:

Ensures Quality and Safety: By guaranteeing that only highly skilled and trained workers are employed, a PLA leads to superior construction quality and enhances safety standards. This is especially critical for a project of this magnitude, where any compromise could have long-term implications.

Supports Local Workforce: A PLA gives preference to local workers, ensuring that this project directly supports the local economy. Local workers bring community pride to their tasks, which contributes to the success of the project.

Fair Wages and Benefits: A PLA secures equitable wages, benefits, and working conditions for all involved. This ensures that the project's workforce is fairly compensated for their skill and dedication, fostering a motivated and reliable labor force.

Promotes On-time, On-budget Delivery: PLAs help manage costs and timelines, reducing the risks of delays and disputes. With a large-scale public project like this, effective time and budget management are essential to meeting the needs of the community without compromising quality.

By including a PLA in the modernization and expansion of these ports, we ensure the highest standards of craftsmanship, safety, and community benefit. I strongly encourage the adoption of this agreement to make this critical project a success for everyone involved.

Thank you for your consideration.

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #24: U.S. Environmental Protection Agency, Region 10, Caitlin Roesler

Subject: Water Resources; Biological Resources; Air Quality, Climate Change, and Greenhouse Gases; Environmental Justice and Protection of Children's Health and Safety; Cultural Resources; and Other - Monitoring and Action Plan

Comment Letter submitted via email: September 23, 2024

Dear Patrick Manning:

The U.S. Environmental Protection Agency has reviewed General Services Administration's (GSA) Draft Environmental Impact Statement for the Kenneth G. Ward (Lynden) and Sumas Land Ports of Entry (LPOEs) Modernization and Expansion Projects (CEQ 20240141, EPA Project Number 23-0030-GSA). The EPA has conducted its review pursuant to the National Environmental Policy Act and our review authority under Section 309 of the Clean Air Act. The CAA Section 309 role is unique to the EPA and requires the EPA to review and comment publicly on any proposed federal action subject to NEPA's environmental impact statement requirement.

The DEIS evaluates the potential environmental impacts associated with activities to modernize and expand the existing Lynden and Sumas LPOEs in Whatcom County, Washington on the US-Canada border. Feasibility studies in 2018 and 2019 determined that the existing structures at both ports did not meet the specified space and facility requirements of Customs and Border Protection (CBP) and lacked dedicated outbound inspection infrastructure. The existing structures were built in the 1980s and current space limitations lead to delays in processing times and frequent congestion in commercial lanes. The proposed project will improve each LPOE's efficiency and effectiveness by acquiring more land and constructing new facilities, disturbing up to 14.5 acres of land at Lynden LPOE and 12.6 acres at Sumas LPOE.

GSA analyzed impacts of two action alternatives for the Lynden LPOE, three action alternatives for the Sumas LPOE, and a no action for each LPOE. The DEIS does not identify a preferred alternative for either

LPOE project; however, the DEIS indicates that the alternatives will be further refined as part of an ongoing Program Development Study for the LPOEs and that the Final EIS will incorporate these refinements.

The EPA supports GSA's proposed infrastructure improvements at Lynden and Sumas LPOEs to allow CBP to effectively accomplish its mission while reducing adverse impacts on environmental resources. The EPA is pleased to note that implementation of the project will incorporate sustainable strategies and energy reduction practices, consistent with Executive Order (EO) 14057, Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability. Further, the DEIS addresses many of the issues we raised during the scoping period for the proposed action in October 2023, including cumulative effects and impacts of climate change.

The EPA did not identify significant public health, welfare, or environmental quality concerns to be addressed in the FEIS and is providing recommendations to improve the assessment and/or environmental outcome of the proposed action. Our review finds a good description of environmental resources in the analysis area, evaluation of anticipated impacts, and actions to be taken to minimize the impacts, including use of best management practices and sustainable building design features and renewable technologies. As most impacts will be from construction and demolition activities, the EPA recommends the FEIS include clarifying information regarding the projects' potential impacts to water and air quality, and biota and habitat. The enclosed Detailed Comments provide more details on these and other topics.

Water Resources

The DEIS indicates that water quality may be adversely affected if the construction activities (surface grading, excavating, digging, bulldozing, pavement surfacing, and roof building) alter the hydrology of surface runoff. For instance, erosion can carry sediment to surface waters and pollutants to local drainages and the underlying Puget-Willamette Trough and Sumas Blaine surficial aquifers. In addition, land disturbance, material storage, waste disposal, inadvertent chemical or hazardous liquid spills, and compaction produced by vehicular traffic can all affect recharge to the local aquifers and groundwater quality.

Because of anticipated adverse impacts (e.g., increased erosion, sedimentation) to water resources, the EPA recommends the FEIS include:

Updated information on the anticipated National Pollutant Discharge Elimination System permit from the EPA including measures to protect water quality and development of Storm Water Pollution Prevention Plans, reporting, and monitoring. Construction activities will disturb more than 1 acre of land (up to 14.5 acres at Lynden LPOE and 12.6 acres at Sumas LPOE), which have NPDES permitting requirements for discharges to waters of the United States and related Stormwater Pollution Prevention Plan and construction best management practices. The EPA appreciates that GSA will implement Low Impact Development techniques during project activities to reduce stormwater volumes and thus mimic natural conditions as closely as possible. The techniques also lessen impacts of stormwater runoff from impervious surfaces such as paved roads, parking lots, and roofs and can provide energy and other utility savings.

Results of planned geotechnical investigation for Sumas LPOE and measures to minimize groundwater contamination and protect groundwater quality. The DEIS indicates construction activities at this LPOE could result in adverse impacts to groundwater but does not provide data on the extent of these impacts. Further, the DEIS acknowledges construction activities have the potential to affect groundwater flow or further degrade existing groundwater quality.

A discussion of water use conservation measures to ensure sustainable water use during implementation of the proposed action. The project design may include elements such as use of recycled water for landscaping, xeric landscaping, and water conservation education to maximize water conservation. For information on measures that can be taken, please consult the EPA's Water Conservation Plan Guidelines. In addition, we recommend discussing water reliability for the program, factoring in the effects of climate change.

The EPA further recommends continued coordination with Washington State Department of Ecology (Ecology) and Tribes that may be affected by the project to ensure that state and Tribal water resources are protected. The EPA notes that Sumas River and Bertrand, Sumas, and Johnson creeks have current exceedances of water quality standard parameters including dissolved oxygen, temperature, fecal coliform bacteria, and pH.

Air Quality

The DEIS describes current air quality conditions for the planning area and the EPA appreciates data provided, especially on baseline emissions and existing air quality monitoring efforts. The EPA notes the project areas for both LPOEs are within an area the EPA has designated as in attainment for all National Ambient Air Quality Standards (NAAQS), and that there are two sensitive receptors in the vicinity of the Sumas LPOE (Valley Community Church and Sumas Elementary School) and no sensitive receptors in the vicinity of Lynden LPOE.

Although the projects will occur in an attainment area, air quality may be impacted due to cumulative impacts from surrounding activities such as road construction and site operations, traffic on unpaved roads, local traffic emissions, use of woodstoves, agriculture, fire, and civilian air traffic. Changes in climate may also result in increased air pollution from future wildfires. It is therefore possible that the proposed project could exacerbate air quality conditions in the area due to emissions related to construction and demolition activities, even if the impacts will be temporary and short-term.

Because of the anticipated adverse impacts on air quality from construction, demolition, and operations emissions, the EPA recommends:

Fully implementing the mitigation measures described in the DEIS and coordinating with Ecology and local air organizations throughout project implementation to ensure federal and state air quality standards will be met. Please note that on May 6, 2024, the EPA revised the primary annual PM_{2.5} standard by lowering the level from 12.0 µg/m³ to 9.0 µg/m³. Analysis of projects' emissions and related impacts will therefore need to be adjusted to reflect this change.

Developing a Fugitive Dust and Emission Control Plan that will integrate measures to control fugitive dust during construction into a formal guide document, summarizing state regulatory requirements, and listing and defining the standard operating procedures to implement the control measures specified in the DEIS.

Disclosing estimated annual emissions from the emergency generators, based on a reasonable estimate of hours-per-year use for testing/maintenance and emergency use. Include details on the equipment type and sizing, if available.

Discussing plans to monitor air quality in the project areas and taking corrective action if the NAAQS are not met, given the sensitive receptors in the project area and that motor vehicle traffic may increase. Localized air quality conditions can be substantial due to external factors (e.g., wildfire burns), even though area-wide and/or long-term emissions monitoring may show compliance with NAAQS. Consider the cumulative health impacts caused by the project (construction, operation, and maintenance phases) and other sources to communities with Environmental Justice concerns. We recommend coordination with public health agencies and relevant industry practices to obtain data on human health and environmental hazards.

The EPA notes that Table 3.6-2 is inaccurate in its disclosure of air permit requirements. A project that is a major source of air pollution requires Major New Source Review (referred to as Prevention of Significant Deterioration or PSD air permitting) in Washington State and may require Minor NSR Construction air permitting for minor sources. The EPA recommends these rows be revised to describe the Major NSR/PSD air permit program and the SIP-approved WA State Minor NSR air permit program. Additional information regarding the emergency generators (probable size/rating and emissions with respect to Minor NSR permit thresholds) to identify if a Minor NSR permit may be required. The existing air quality conditions section

provides a detailed disclosure of nearby air quality monitoring stations. The EPA further recommends providing a table to disclose the background design concentrations for criteria air pollutants to quantitatively describe existing conditions. The EPA recommends using the background concentrations provided by the NW-AIRQUEST lookup tool for the project sites.

Climate Change

The EPA encourages consideration of ongoing and projected regional and local climate change and ensuring robust climate resilience/adaptation planning in the project design. Climate change alters the intensity, frequency, and duration and of some natural hazards (e.g., extreme temperatures, drought, storms, flooding, and wildfire). Traditional safety features and design standards may be incongruent with current and anticipated conditions. For example, recent guidance recommends modified ventilation practices (e.g., MERV 13 or higher HVAC systems) to improve indoor air quality from prolonged wildfire events, along with additional best practices. The EPA recommends the FEIS discuss data about prolonged and worsening wildfire in Washington. The White House Office of Management and Budget published a memorandum to provide guidance to Federal Agencies on addressing the risks that natural hazards and climate change pose to Federal government's facilities.

The EPA also recommends the NEPA analysis adopt hazard-resistant building codes to increase safety, reduce financial loss, and support rapid recovery after disasters. FEMA's National Building Code Adoption Tracking Portal notes that for Washington, 2021 international building codes are mandatory statewide. FEMA also provides funding for rebuilding from disasters when low-carbon concrete, asphalt, glass, and steel are used.

Greenhouse Gas (GHG) Emissions

The EPA appreciates the GHG analysis included in this DEIS that quantifies operational and construction emissions, as well as commuting emission changes associated with the No Action Alternative and Action Alternatives 2 and 3. The EPA also notes the DEIS included an analysis of the Social Cost of Carbon using the 2023 EPA report on the Social Cost of Greenhouse Gases for construction and operational emissions. The DEIS describes that emission factors for on-road vehicles were estimated using industry standard rates, while non-road vehicle emissions were estimated using the EPA MOVES model. To improve public understanding of the GHG estimates the EPA recommends the FEIS provide additional clarifying information of the emission calculation methods in Appendix C, including detail that documents the methods used to generate the emission factor tables.

Environmental Justice (EJ)

The EPA appreciates the use of EJScreen to identify communities with EJ concerns. Given the projects proximity to Canada, the EPA recommends GSA coordinate with counterpart LPOEs in Canada to better understand communities with EJ concerns near the US-Canada border and that could be impacted by the proposed projects. The EPA notes Canada has a tool called "HealthyPlan.City" which highlights vulnerable Canadian populations experiencing lower than average levels of beneficial environmental conditions.

Biological Resources

Given that many species listed as endangered, threatened, and of concern under the Endangered Species Act (e.g., bull trout) are found in the analysis area, the EPA recommends:

Coordinate with the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and, as appropriate, with the Washington State Department of Fish and wildlife to reduce risks to species and protect biota and habitat during implementation of the proposed action.

Include in the FEIS any additional relevant information developed during coordination with these agencies, particularly outcomes of Section 7 of the ESA consultations with the Services, including any recommended measures to protect fisheries and other species.

Coordination with Tribes

The EPA recommends the FEIS include outcomes of consultation with all affected Tribal entities. According to the DEIS, resources owned or used by the Confederated Tribes of the Colville Reservation, Lummi Nation, and Nooksack Tribe may be impacted by the proposed project.

Monitoring and Adaptive Management

The EPA recommends the FEIS include a monitoring program designed to assess both impacts from the projects and effectiveness of mitigation measures for the impacts. Indicate how the program will use an effective feedback mechanism, such as through adaptive management, so that any needed adjustments can be made to the projects to meet environmental objectives during the facilities operations, and maintenance. Examples include monitoring criteria pollutants, noise (increases in complaints and claims), and emerging contaminants (e.g., Per- and polyfluoroalkyl substances or PFAS) and taking corrective action if pollutant levels exceed standards or pose risks to human health and the environment. This is particularly important for project activities at Lynden, an area with groundwater that the DEIS notes may have been contaminated with high nitrate levels and other contaminants.

GSA Response:

Water Resources – In response to bullet #1, information related to NPDES permitting is included in Sections 3.3, Water Resources; and 3.5, Geology, Topography, and Soils. Section 3.3 introduces the NPDES program, including requirements related to the development of a SWPPP (and associated monitoring), documentation of site inspections, compliance with state, tribal, or territory-specific requirements that may be included in the NPDES permit, and post-construction stabilization. Construction best management practices (e.g., infiltration and filtration, evaluation of land application products for phosphorus content, earth walls, soil nails, riprap, turbidity barriers, etc.) are also listed. GSA has not yet sought the NPDES permit for this project; therefore, specific information related to permit conditions and discharge limits is not yet available. GSA will seek a NPDES permit for the project when design is further along, and commits to adhering to all permit conditions, as stated in the EIS.

In response to bullet #2, it is not anticipated that the geotechnical investigation will be completed prior to publication of the final EIS. Section 3.3.2.6, Water Resources - Impact Reduction Measures, has been expanded slightly to highlight this. Section 3.7, Human Health and Safety, includes measures that would be taken to prevent groundwater contamination (this section is referenced in Section 3.3, Water Resources), including the preparation of a Spill Prevention and Response Plan as well as a Spill Prevention, Control, and Countermeasure plan.

In response to bullet #3, the Final EIS has been updated to include additional water use conservation measures that would be implemented and discussion of water reliability (see Sections 3.3.2.6, 3.3.1.3.1, and 3.3.1.3.2).

The EIS does note current exceedances of water quality standard parameters in the Sumas River and Bertrand, Sumas, and Johnson Creeks; however, the EIS indicates that the only surface waterbodies with potential to experience indirect impacts from the project include Sumas Creek and an unnamed tributary located approximately 2,200 feet from the Lynden LPOE. The EIS states that none of the action alternatives would be expected to affect existing surface water impairments and that indirect impacts resulting from land disturbance would be short-term and negligible and would be reduced through adherence to the NPDES permit and associated best management practices. Through proposed stormwater and sustainable site features that would be incorporated into final design, as well as adherence to guidelines and standards detailed in Section 3.3, Water Resources, the project would not be expected to increase the amount of stormwater discharge from the site during operations. Additional details can be found in Section 3.3, Water Resources, in the *Surface Waters* subsections.

Air Quality – Table 3.6-1 has been updated to recognize the 9 $\mu\text{g}/\text{m}^3$ $\text{PM}_{2.5}$ standard and background design concentrations from AIR-QUEST have been added for both Lynden and Sumas, Washington. Text has also been added regarding the need for a fugitive dust control plan in Section 3.6.2.7, Impact Reduction Measures. Annual emissions from emergency generators were calculated and presented as LPOE operations tables. Motor vehicle traffic is not expected to increase as a result of the project. Therefore, monitoring of ambient air quality will likely not be required, and no discussion of long-term monitoring plans were added. In addition, Table 3.6-2 has been corrected to add discussion of the Washington minor NSR air permitting program and applicability to any emergency generators that would be installed with the project.

Climate Change – Text has been added to Section 3.6.2.7, Impact Reduction Measures outlining modified HVAC ventilation systems and hazard-resistant building codes.

Greenhouse Gas Emissions – Text has been added to Section 3.6.2.1, Methodology to explain emission factors, how calculations are done, and refers the reader to Appendix C for further information.

Environmental Justice – There will be no physical changes to port facilities and operations on the Canadian side of the border as part of these projects. U.S. environmental justice regulations only apply to actions occurring in the U.S. Therefore, GSA will not be analyzing potential impacts in Canada or using their modeling tool in this EIS.

Biological Resources – As discussed in Section 3.4.1.3, a number of protected species are known to occur in the region of influence. Tables 3.4-1 and 3.4-2 indicate that a majority of the species in the IPaC are not expected to occur in the project areas with justification. All communications with the USFWS are included in Appendix A of the EIS. GSA sent an informal consultation letter to the USFWS for the yellow-billed cuckoo and monarch butterfly on July 31, 2024; and a follow-up email on September 18, 2024. The USFWS did not reply or provide written concurrence with GSA's determination that the Proposed Action may affect, but is not likely to adversely affect, protected species within the 60-day required timeframe for a response.

Coordination with Tribes – As discussed in Section 6.4, GSA initiated Section 106 consultation with relevant tribal governments through their respective THPO to help inform the analysis of the projects. Affiliated tribes were sent letters on December 28, 2022, to inform them of the scoping period for the project and preparation of the Draft EIS and seeking their input on the APE for archaeological studies. The following tribes were contacted: Confederated Tribes of the Colville Reservation, Lummi Nation, and Nooksack Tribe. The Confederated Tribes of the Colville Reservation responded on October 23, 2023, indicating there was no comment. No response from the Lummi Nation or the Nooksack Tribe was received after multiple attempts. All letters and responses from the tribes are included in Appendix A. The same tribes were sent letters regarding the availability of the Draft EIS and details of the public hearing and public review period for the Draft EIS. The tribes did not provide any comments during the Draft EIS public comment period.

Monitoring and Adaptive Management – Monitoring plans and BMPs will be developed by the design-build contractor. These will be developed in accordance with federal, state, and local laws, regulations, requirements, codes, and best practices to meet overall performance requirements. These monitoring plans and BMPs will be reviewed by GSA and approved prior to commencing construction activities.

Comment ID #25: Western Washington University, Marilyn Chu

Subject: Outside the Scope of the EIS

Comment submitted via email: September 24, 2024

As a former Whatcom Community College child care director and retired Early Childhood Education professor from Western Washington University, I offer a few considerations for your work on the Sumas and Lynden Port of Entry Projects.

Whatcom County, and in particular, the Lynden and Sumas north county areas, have a severe shortage of child care “slots” for our growing county population. Planning for incoming workers and their families’ child care needs is imperative for these important projects to be successful.

Now is the time to work to include federal funding to address future employee child care needs through work with the Department of Labor (DOL) on these projects. In my experience, child care models cannot be adapted overnight to meet extensive licensing and quality standards for a large influx of families. Planning now for employee child care options, which might include using DOL data to inform needed new and expanded local licensed child care centers, family homes, and local school district programs is required. Innovative child care models involving collaboration among local Early Childhood professionals and agencies to ensure high quality care and education of young children also requires time and alignment with existing state and local policies and adequate funding.

When I was a child care director, we had to meet our fiscal responsibilities by being able to plan for the numbers, ages and program types needed and preferred by local families. Most child care operates on the razors' edge of fiscal solvency and must partner with employers in advance to plan for having “slots” reserved, tuition and fees paid and a program budget met, just like other businesses.

In addition, we have existing tax paying local families who expect their current child care needs will be met in an environment referred to as a “child care desert”.

One area of support for employee child care needs in the Port of Entry projects is to align planning with the existing highly engaged Early Childhood professionals and public agencies who have been involved in the Healthy Children’s Fund (HCF) work. Without aligning with existing local efforts to expand child care we may create huge harm to our current residents needing child care and related resources. We may also miss an opportunity to expand child care at a time our local economy needs it the most.

Most importantly, all of our youngest children deserve the best care we can offer.

Uncoordinated and last minute child care expansion efforts will increase our local conditions of inequities in access, quality, affordability, and accountability and will be experienced most acutely by our diverse community of local children and families.

GSA Response: This comment is outside the scope of the EIS. GSA is sympathetic to your concerns; however, this is for the modernization and expansion of the Lynden and Sumas LPOEs’ infrastructure. Construction workers are not anticipated to bring their families during the construction phase of the project. As discussed in Sections 2.3.1.2 and 2.3.2.2, the Lynden and Sumas LPOEs may increase staffing by 20 and 26 personnel, respectively. Existing LPOE staff needs related to childcare in the region are already addressed. Any potential increase in staffing, noted as maximum projections contingent on sufficient funding, is unlikely to have a meaningful impact on regional childcare facilities unless the majority of the new staff have minor children. However, this scenario remains speculative and cannot be accurately quantified at this time.

Comment ID #26: OPCMIA Local 528, Travis Metzger

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 25, 2024

PLA guarantees that only the most skilled and highly trained workers will be on the job. PLAs prioritize hiring local workers, providing job opportunities that strengthen our communities. PLAs secure fair wages, benefits, and working conditions for all workers. PLAs help manage project costs and timelines, minimizing delays and disputes that can arise in large-scale public projects.

GSA Response: This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage.

Comment ID #27: Private Citizen, Suzanne Wu M.Ed.

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 25, 2024

Lynden Port of Entry Project Manager,

As a concerned citizen and early childhood services advocate I am thrilled to hear of the DOL project to improve our 2 smaller border crossings. The development of improved border facilities is needed and will hopefully bring much needed living wage jobs to Whatcom County.

I am equally appreciative of your forward thinking steps to put in place housing and childcare to meet the needs of your new employees.

As you may be aware the communities in our county overlap in both service delivery and infrastructure. For instance individuals living in Bellingham may work in Sumas and vice-versa. So this effort must be countywide. When I worked in the early childhood field many of the families I worked with had no access to childcare in either Sumas or Lynden. It made it hard for parents to work. I salute you and your colleagues for anticipating that challenge.

You may be aware that Whatcom County as a whole is considered a childcare desert. We currently have 5000 children in need of child care. People who can afford to pay for childcare find there are long waiting lists in existing childcare. Other folks find there are no childcare centers at all within a reasonable distance from their home and community. Additionally the cost of childcare is prohibitive to many people.

To combat this problem Whatcom County recently passed a tax based initiative to help us improve childcare access. We are in the early phases of developing services to support the planning and creation of increased high quality affordable childcare to combat the issues described above. To coordinate with that effort it is imperative that you proactively engage with our childcare coalition and other local government agencies and leadership to prevent unintended harmful consequences exacerbating the current childcare shortage in terms of access, affordability and development of new programs.

In conclusion, I thank you for this opportunity for early input. I invite you to engage with our childcare coalition to create well thought out solutions that fit within our local infrastructure and systems which will create lasting value for the community. Our childcare coalition is looking forward to such an outcome.

GSA Response: This comment is outside the scope of the EIS. GSA is sympathetic to your concerns; however, this is for the modernization and expansion of the Lynden and Sumas LPOEs' infrastructure. Construction workers are not anticipated to bring their families during the construction phase of the project. As discussed in Sections 2.3.1.2 and 2.3.2.2, the Lynden and Sumas LPOEs may increase staffing by 20 and 26 personnel, respectively. Existing LPOE staff needs related to childcare in the region are already addressed. Any potential increase in staffing, noted as maximum projections contingent on sufficient funding, is unlikely to have a meaningful impact on regional childcare facilities

unless the majority of the new staff have minor children. However, this scenario remains speculative and cannot be accurately quantified at this time.

Comment ID #28: Chuckanut Health Foundation, Chao-ying Wu MD

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 25, 2024

I'm glad to learn of the projects to build/renovate the border crossing facilities in Sumas and Lynden as these are much needed and these large scale federal projects will bring improved services at the border crossings, and, at least transiently, increased living wage jobs to the community.

I am concerned about impacts of these large transient projects in two of our smaller communities, particularly impacts on childcare, housing, and schools. Our County is already an acknowledged childcare desert, with 5000 fewer childcare slots than we need. Housing is also in very short supply with rental vacancy rates hovering below 2% and home prices rapidly rising, in large part due to inadequate supply of housing.

If challenges in these two areas are not addressed prior to the onset of construction phase, they have potential to substantially and negatively impact productivity of the workforce, costs of the projects, and timeliness of completion. In addition there could be unintended but predictable adverse impacts on the existing local population.

For example increasing demand for scarce housing could result in increased housing prices, and displacement of local populace, with the most disadvantaged populations likely to be most adversely impacted.

In similar fashion, increasing demand for scarce childcare slots could lead to increased pricing for childcare, and displacement of existing local families, with disadvantaged populations again being most adversely impacted.

Our local childcare situation is complex and a locally informed nuanced approach will be essential for good outcomes and long term benefit to the community. Fortunately there is a very engaged and action oriented childcare coalition with strong local knowledge about our childcare landscape and opportunities.

For example you should be aware that market rate for childcare in our community does not cover the actual cost of delivering high quality childcare while paying the childcare workers a living wage. Our state is moving to a "Cost of Quality Care Rate Model" which has been developed over the last two years, and this can help you as you plan for childcare.

GSA Response: This comment is outside the scope of the EIS. GSA is sympathetic to your concerns; however, this is for the modernization and expansion of the Lynden and Sumas LPOEs' infrastructure. Construction workers are not anticipated to bring their families during the construction phase of the project. As discussed in Sections 2.3.1.2 and 2.3.2.2, the Lynden and Sumas LPOEs may increase staffing by 20 and 26 personnel, respectively. Existing LPOE staff needs related to childcare in the region are already addressed. Any potential increase in staffing, noted as maximum projections contingent on sufficient funding, is unlikely to have a meaningful impact on regional childcare facilities unless the majority of the new staff have minor children. However, this scenario remains speculative and cannot be accurately quantified at this time.

Comment ID #29: Private Citizen, Leslie Farris

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 26, 2024

Dear POE project leads,

I am writing in response to the proposed border upgrading projects at the Lynden and Sumas border crossings that will involve the need for childcare resources for workers' families. It seems prudent to approach this need with current information about our Whatcom county's childcare realities and shortfalls.

Whatcom County voted on and approved a property tax to establish a Healthy Children's Fund in 2022. This fund was designed to address the severe child care shortage across our county, with our greatest need being in North County. Lynden, Sumas and surrounding areas are well-known "child care deserts". These funds are still in the planning stage and have not yet been deployed to ease the shortage of apx. 5000 childcare needed slots and long waiting lists. We also lack opportunities for drop-in, flexible childcare with extended hours at this point.

The anticipated influx of workers and their families during the DOL's border projects provides an opportunity to coordinate these much-needed services, ideally with an eye for long-term sustainability of new child care slots. This is an excellent time for our local leaders to think strategically and creatively as additional children arrive in our county requiring services.

Without careful coordination, I am concerned that our current on-going efforts to expand childcare access risk being undermined, placing further strain on the situation. Our local childcare resources are currently not serving our neediest families, and creating competition for limited spots threatens to potentially drive up costs for struggling local families.

While recognizing that the DOL's projects are short term, our need for long term child care expansion should be part of the discussion. Whatcom County's local policy makers and child care experts need to be involved and solutions that support current efforts should be considered. Our tax payers are very anxious to see their tax dollars spent on the glaring childcare crisis, and they will understandably want to safeguard, and if possible, leverage those resources.

Thank you for considering this input, and for keeping Whatcom County's children and families in mind as you move forward. I am hopeful that through thoughtful coordination and ongoing communication with all stakeholders the welfare of all children and families involved can be prioritized.

GSA Response: This comment is outside the scope of the EIS. GSA is sympathetic to your concerns; however, this is for the modernization and expansion of the Lynden and Sumas LPOEs' infrastructure. Construction workers are not anticipated to bring their families during the construction phase of the project. As discussed in Sections 2.3.1.2 and 2.3.2.2, the Lynden and Sumas LPOEs may increase staffing by 20 and 26 personnel, respectively. Existing LPOE staff needs related to childcare in the region are already addressed. Any potential increase in staffing, noted as maximum projections contingent on sufficient funding, is unlikely to have a meaningful impact on regional childcare facilities unless the majority of the new staff have minor children. However, this scenario remains speculative and cannot be accurately quantified at this time.

Comment ID #30: City of Sumas, Bruce Bosch, Mayor of Sumas

Subject: Socioeconomics and Traffic and Transportation

Comment Form submitted via email: September 26, 2024

Dear Sumas LPOE Project Team,

The City of Sumas, Washington would like to take this opportunity to formally express our thoughts and concerns regarding the Sumas LPOE project. It is the City's desire to maintain an open dialogue between ourselves and the LPOE project team so that conversation regarding issues impacting Sumas can be fluid and regular.

To begin, the City would like to raise an issue that we feel is our most vital; the economic effects that the project could have on local businesses and for the City itself. Roughly eight businesses are planned for displacement as a result of this project. There is very little available commercial real estate in Sumas, so those displaced businesses will need to look elsewhere in order to find new locations. The City urges the LPOE project team to make relocation assistance a priority when working with the public.

The City also plans to take a hit financially from this project, as the loss of those businesses represents a loss in tax revenue that will not be recouped when the land is acquired by the GSA. This loss in tax revenue may seem insignificant to an outside observer, but to a town as small as Sumas, very little is counted as insignificant.

Other homes and businesses in the area will also have their accesses affected by changes to the local street network throughout construction. Whether it be through possible realignment of certain streets, or through the closing of certain streets during construction, the impact to the transportation network extends beyond the project boundaries. In this, we feel that it is most vital for the LPOE project team and the City to continue discussions about the best way to make all the aspects work together.

The City is also concerned with how traffic flow will be affected, specifically on Sumas' main thoroughfare, Cherry Street. This street is the main access route to the LPOE, but it is also the economic and cultural center of Sumas and any disruption in traffic flow affects the whole town. We are worried about how traffic flow will be altered both during and after construction. During construction, northbound POV lanes may be closed for a significant portion of the construction period, which may cause massive lineups forming through the center of town. This has the ability to affect local businesses whose customers may not be able to reach them, local residents on their way home from work, and the City itself whose access to City Hall may be impacted for local residents.

The City encourages the LPOE project team to take these concerns under consideration and continue to keep open dialogue between them and us, so that we can ensure that both parties can work together towards seeing this project through while also providing for and addressing the needs of the affected community.

GSA Response: The modernization and expansion of the Sumas LPOE will unavoidably result in direct impacts to the surrounding area. Some of those impacts will be short-term while others may be longer lasting. Some impacts will be beneficial, and some may result in adverse impacts to socioeconomics. Construction of the Sumas LPOE would require the acquisition of nearby land parcels and would displace at least four active businesses as well as the American Legion Post 212. GSA understands the City's concerns that this acquisition would result in the loss of tax revenue to the City of Sumas. GSA has reviewed your comment regarding this loss of tax revenue and will take it under consideration. As far as the properties under consideration for acquisition, GSA will provide relocation assistance for applicable stakeholders in accordance with the *Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs* (49 CFR Part 24). GSA will negotiate with private landowners as applicable during the land acquisition process to provide fair compensation (See Section 3.11.2.3).

During construction, traffic networks to businesses and residences near the limits of construction and along SR 9 should not be limited or closed and access to these businesses and residences will still be available via other traffic networks. The Sumas LPOE would remain open during construction and would not be closed; however, some lanes and traffic patterns within the LPOE may be closed or diverted temporarily. The Sumas LPOE may also experience longer traffic inspection delays and longer queues during construction.

The Sumas LPOE modernization and expansion project would have a long-term beneficial impact on safety, security and congestion at the LPOE. Issues related to queuing, safety and security would be addressed, to the extent possible. In addition, the updated pedestrian routing would provide more space for processing within the Main Port Building and would provide an improved pedestrian route through the LPOE. No long-term traffic volume impacts on SR 9 would result. Traffic volumes on SR 9 would be anticipated to increase due to normal growth and not due to the LPOE modernization and expansion project. The proposed improvements to the LPOE are not anticipated to result in any diversions or shifting of traffic from other LPOEs to Sumas LPOE. Under normal traffic growth conditions, the anticipated level of service would operate at levels of service A or B, which is better than the standard level of service C set by WSDOT. No traffic volume capacity or level of service impacts would be anticipated (See Section 3.9.2.3). GSA will only upgrade and improve transportation networks within the proposed limits of disturbance as shown in Section 2.3.2. GSA will work closely with WSDOT, Whatcom County, and City of Sumas for all work occurring in the proposed limits of construction. GSA has no jurisdiction over transportation networks outside the project area.

GSA will work closely with the City of Sumas to discuss the socioeconomic and traffic impacts to the City from the Sumas LPOE modernization and expansion project and how this could impact the community.

Comment ID #31: Private Citizen, Ken Gass MD, PhD

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 26, 2024

I am a retired Whatcom County Pediatrician and former Bellingham School Board member. I was pleased to hear of the significant Federal investment of resources to upgrade the Lynden and Sumas Ports of Entry, bringing in good wage-paying construction jobs in the short run and greatly expanding cross-border commerce and border jobs long term. I also understand that other resources will be provided that could help local governments respond in ways that make long-term sense for our communities to address the increased demand for housing and childcare resources that will be created by these projects, resources that are already in very short supply. The north county communities along the border currently have the most severe shortage of childcare, already a concern for the north county business community. It takes adequate childcare resources to have a stable workforce!

My Whatcom County pediatrics and school board experiences has taught me the importance of being ready to learn on kindergarten entry for students' successful high school graduation and completion of postgraduate education and training that leads to successful employment and being a contributing citizen. Access to quality childcare and stable housing are critical factors for sustaining stable working families that create children ready to learn in kindergarten. A childcare demand study in Whatcom County undertaken prior to the pandemic found a shortfall of 5,000 childcare placements of any kind, not only those that provide quality early education for birth to five. Not surprisingly, statewide school readiness testing on kindergarten entry has found that less than 50 percent of Whatcom County children are kindergarten ready!

Whatcom County citizens have shown their support for addressing the shortage of childcare workers and centers, as well as family housing instability and growing childhood mental health issues caused by stresses on families. The Whatcom County Healthy Child Fund (HCF) was approved in 2022 bringing in \$10 million

a year through a property tax levy with a well-defined list of targeted needs for funded projects to address, including affordability of childcare and expanding and better supporting the childcare workforce. To date, \$20 million in tax dollars have been collected for the HCF, but as yet there has been no funding of projects to address affordability of childcare or workforce development.

With that background on the importance of childcare and significant lack thereof in Whatcom County, despite expectations for support from a new local funding source, I hope that any contracts approved for the planned LPOE expansion projects will include community agreements with contractors concerning working with county government and local agencies for provision of adequate, affordable childcare resources paying the prevailing wage for both childcare workers and construction workers.

GSA Response: This comment is outside the scope of the EIS. GSA is sympathetic to your concerns; however, this is for the modernization and expansion of the Lynden and Sumas LPOEs' infrastructure. Construction workers are not anticipated to bring their families during the construction phase of the project. As discussed in Sections 2.3.1.2 and 2.3.2.2, the Lynden and Sumas LPOEs may increase staffing by 20 and 26 personnel, respectively. Existing LPOE staff needs related to childcare in the region are already addressed. Any potential increase in staffing, noted as maximum projections contingent on sufficient funding, is unlikely to have a meaningful impact on regional childcare facilities unless the majority of the new staff have minor children. However, this scenario remains speculative and cannot be accurately quantified at this time.

Comment ID #32: Whatcom Child Care Coalition, Meredith Hayes

Subject: Outside the Scope of the EIS

Comment Form submitted via email: September 26, 2024

Dear Project Managers for the Department of Lynden Port of Entry Project,

Thank you for soliciting public comment on this project, and for your deep consideration regarding the implementation of these large-scale investments in our nations infrastructure and in our community well-being. As you have undoubtedly heard, our community has some persistent challenges in the areas of child care, housing, and cost of living, and our local community is working hard to address these persistent challenges.

To introduce myself, I am Meredith Hayes and I work with the Chuckanut Health Foundation to convene the Whatcom Child Care Coalition, a network of local leaders who are committed to expanding access to child care through policy, funding, and programs. Together with voters, local elected officials, child care leaders, and community groups, Whatcom County passed a local ballot measure to create a Healthy Children's Fund to expand access to child care for families, reduce childhood homelessness, and improve mental/behavioral health for children and families.

I believe there are ample opportunities for our local efforts to align with and support the DoL efforts to build a successful project workforce. However, for either of these efforts to be successful, they must be done in concert with each other.

A few facts to know about accessing child care in Whatcom County:

Whatcom County has 11,250 children under 5 years old

According to a local child care demand study, Whatcom County has 5,000 too few of child care slots, with a drastic child care shortage in north Whatcom County home to both Lynden and Sumas

Families are cost-burdened and families who do have access to care are paying more for child care than for tuition at the local university, upwards of 30% of their income

Despite these being persistent community priorities for years, there is currently no mechanism to address long child care wait lists, nor the need for flexible drop-in care for shift workers, or extended hour care

The local Healthy Children's Fund is funded by local voters through property taxes, and will expand care primarily for families facing racial, economic and geographical disparities, with a focus on increasing the kindergarten readiness in children. The Healthy Children Fund is building a child care infrastructure that can benefit incoming families, and local families

The fund administrators of our local children's fund focused on expanding access to child care, are in very beginning stages of addressing the child care shortage, and have yet to address the affordability of care, nor the workforce needs required to expand child care.

GSA Response: This comment is outside the scope of the EIS. GSA is sympathetic to your concerns; however, this is for the modernization and expansion of the Lynden and Sumas LPOEs' infrastructure. Construction workers are not anticipated to bring their families during the construction phase of the project. As discussed in Sections 2.3.1.2 and 2.3.2.2, the Lynden and Sumas LPOEs may increase staffing by 20 and 26 personnel, respectively. Existing LPOE staff needs related to childcare in the region are already addressed. Any potential increase in staffing, noted as maximum projections contingent on sufficient funding, is unlikely to have a meaningful impact on regional childcare facilities unless the majority of the new staff have minor children. However, this scenario remains speculative and cannot be accurately quantified at this time.

Comment ID #33: Member of Sumas Planning Commission and Secretary of Sumas Historical Society and Museum, Helen Solem

Subject: Noise and Vibration, Water Resources, Traffic and Transportation, Cultural Resources, Socioeconomics; and Outside the Scope of the EIS.

Comment Letter submitted via email: September 26, 2024

Let me tell you about life in a small border town. I gathered these concerns by listening to residents and business owners who live and work in Sumas. We see this very big change, border expansion, coming our way and wish to be involved in the planning. We hope to bend this big change to our town's advantage, not live with the disadvantages. Several strong ideas and requests have emerged from citizens' dialog. Here are the main ideas.

1. Staffing.

There six toll booths at the US Customs border station in Sumas. Rarely are they fully staffed! Understaffing is a significant cause of border-crossing waits.

Questions

With increased number of lanes will there also be increased staffing?

Does Sumas offer adequate and affordable housing for additional border related staffing?

How many more employees will work at the new LPOE?

2. Light and Noise Pollution.

The new LPOE compound will abut the north edge of Garfield St. Across Garfield Street, homes line the whole street along the southern curb. During construction and at night when the compound is in operation, it appears that significant light will be used. Also, during construction and with the relocation of an additional lane it appears more noise for longer periods of time will occur.

Questions

How close to Garfield will flood lights be placed?

Will flood lights be turned at night during operation?

How will increased lighting impact residents of Garfield?

If it impacts them, what will you do about the light pollution?

How will the additional noise be mitigated?

3. Flooding, the bane of Sumas.

Part of the proposed 12.6 acre LPOE development site lies within the Special Flood Corridor, City of Sumas, Flood Zones, Comprehensive Plan, June, 2016. All the rest of the land except a thin strip on the west lie within the Areas of Special Flood Hazard,. The nine proposed facilities to be constructed must be built a foot above Base Flood Elevation, BFE, per FEMA. Bottom floors often reach heights 6 to 7 feet above the road. This proposed construction will impede the overflow of Johnson Creek thus increase flooding.

As a resident said, “You can’t put a cork in the drain of this town and not make a determination as to its effects on the rest of the town.”

Questions

How will border expansion, the fill, buildings and fencing, etc., affect flooding in the rest of Sumas, which is upriver from the border?

Will GSA pay for mitigation of the site?

4. Traffic.

The increased traffic, with it’s noise and pollution, will haunt the town for decades. The increased traffic will exit our town on the Badger Road and the Guide Meridian. Both roads are already dangerous roads. Our children will have to drive these increasingly dangerous roads.

Questions

Does the border expansion calculate how much the increased car and truck traffic will impact our quality of life?

What does Washington State DOT plan for these two roads, Badger Road and Hiway 9 leaving Sumas and Lynden?

5. Employ local

Local engineers, architects, and designers know the residents, the surrounding communities, farmland and wooded areas, land use patterns, past challenges, all Ingredients that make up a thriving community.

Question

Will GSA employ a local design firm to contribute to Sumas LPOE?

6. Buildings

We have identified seven historic buildings that possibly deserve a listing of historic significance in State of Washington Department of Archaeology and Historic Preservation. One of these buildings lie within the proposed border expansion area.

- a. Lone Jack Saloon
- b. WOW Heritage Building
- c. Wee Drop Inn
- d. Old Custom’s House
- e. Two 1906 storefronts
- f. Doctor’s Office

g. B and B

Questions

Will GSA accommodate us the time to provide documentation under the Provision of Governor's Executive Order 21-20 and to allow further consultation and review by State Historic Preservation Office to determine eligibility of Sumas's Historic places?

7. Community Outreach

Posting a notice in the Lynden Tribune and on City Website is inadequate to reach out to Sumas citizens. Our citizens, who will be impacted the most, were also the most underrepresented participants at both GSA town meetings. The 260 page GSA document at Sumas Library, while read by a few citizens, also provides a daunting source of Information.

Questions

Would GSA help us put up a year-long Public display to show all the border expansion plans, the details, maps, time-lines, explanation and questions, yet to be asked and or decided?

8. Lost business and tax revenue to the City

This dollar amount is unavailable at this time.

We, the people of Sumas, need to know the answers to our questions. Our real estate, homes, quality of life and our children's futures depend on timely, complete information. We need time to find creative and financial aid in our county and state to help with the changes and to adjust to this big change as gracefully and resourcefully as possible.

GSA Response:

Staffing – This comment is Outside the Scope of the EIS. CBP may increase the current staff at both the Lynden and Sumas LPOEs based on funding and resource availability. As discussed in Sections 2.3.1.2 and 2.3.2.2, the Lynden and Sumas LPOEs may increase staffing by 20 and 26 personnel, respectively. Any influx of new workers would have a direct, long-term, negligible to minor, local, beneficial impact on the population, labor, and earnings. In addition, any new workers at the Lynden and Sumas LPOEs would further decrease the amount of available housing in the project areas, resulting in a direct, long-term, minor, local, adverse impact on housing (see Sections 3.11.2.2.2 and 3.11.2.3.2).

Light and Noise Pollution - Exterior lighting would follow applicable LPOE design standards which specify measures to meet physical security and safety requirements at both the Lynden and Sumas LPOEs and would be controlled to minimize light trespass (e.g., direct light downward and minimize glare). As such, overall impacts from lighting as a result of the expanded LPOE footprints would be negligible (see Section 3.1.3.1). In addition, contractors are scheduled to work during daylight hours (6 AM to 6 PM) to the greatest extent possible during construction, which should minimize potential light impacts on local residents. Potential construction noise impacts would be minimized to the extent practicable utilizing standard noise control measures, such as equipment noise controls (e.g., mufflers), limitations or prohibition of equipment idling, minimizing equipment usage to short periods of time to the extent possible, and limitations or prohibitions on running equipment for extended periods when not necessary (see Section 3.10.2.6). Operational noise after LPOE modernization and expansion would be similar to noise levels experienced during existing conditions.

Flooding –Complete avoidance of floodplains for this project is not considered practicable, as the LPOE is spatially constrained by a railroad, residences, and other surrounding infrastructure. GSA prepared a Floodplain Assessment and Statement of Findings, which is included in the EIS as Appendix B. The Floodplain Assessment and Statement of Findings determined that the project would not result in major adverse impacts to the 1-percent annual-chance and 0.2-percent annual-chance floodplains and that no

effects to lives and property associated with floodplain disturbance would be anticipated. Although the final design of the proposed LPOE is not yet available, GSA is coordinating with the appropriate federal, state, and local agencies to provide a design that maintains or restores, to the maximum extent technically feasible, the predevelopment hydrology of disturbed areas, and that minimizes impacts to the greatest extent practicable. Final design would incorporate measures specified in GSA's P100 guidelines to reduce or manage stormwater flows as well as impacts to floodplains; comply with the American Society of Civil Engineer's ASCE-24 standard (*Flood Resistant Design and Construction*); comply with Section 438 of the Energy Independence and Security Act; adhere to conditions within the USEPA National Pollutant Discharge Elimination System permit that would be acquired for the project; and consider the Department of Ecology's Stormwater Manual for Western Washington when designing the permanent stormwater management system for the modernized and expanded LPOE. It is simply noted that these same requirements would apply to all projects, not just the LPOE modernization and expansion, that might occur now or in the future within the project's limits. Additional details may be found in the Floodplain Assessment and Statement of Findings (Appendix B).

Traffic – Section 1.3.2 of the EIS identifies various subpar conditions at the existing Sumas LPOE resulting in traffic congestion and safety issues, including spatial constraints for commercial vehicles and lack of queue space. Northbound traffic congestion and delays are generally caused by queuing for the Canadian LPOE, which is outside the jurisdiction and control of this project. The Sumas LPOE modernization and expansion project would have a long-term beneficial impact on safety, security and congestion at the LPOE. Issues related to queuing, safety and security would be addressed, to the extent possible. In addition, the updated pedestrian routing would provide more space for processing within the Main Port Building and would provide an improved pedestrian route through the LPOE. No long-term traffic volume impacts on SR 9 would result. Traffic volumes on SR 9 would be anticipated to increase due to normal growth and not due to the LPOE modernization and expansion project. The proposed improvements to the LPOE are not anticipated to result in any diversions or shifting of traffic from other LPOEs to Sumas LPOE. Under normal traffic growth conditions, the anticipated level of service would operate at levels of service A or B, which is better than the standard level of service C set by WSDOT. No traffic volume capacity or level of service impacts would be anticipated (See Section 3.9.2.3). GSA will only upgrade and improve transportation networks within the proposed limits of disturbance as shown in Section 2.3.2. GSA will work closely with WSDOT, Whatcom County, and City of Sumas for all work occurring in the proposed limits of construction. GSA has no jurisdiction over transportation networks outside the project area.

Employ Local – This comment is outside the scope of the EIS. GSA will follow established contractual protocols during the contracting and construction processes once we reach that stage. The selected firm could consist of or include local firms, but this is unknown at this time. Key stakeholders, particularly county and city officials, will be involved in the design process and will be encouraged to provide design comments.

Buildings – In compliance with Section 106 of the NHPA, cultural resources studies were conducted for both project areas to determine the presence or absence of historic properties within the respective area of potential effect and to determine the projects' potential to impact identified cultural resources. These studies included historic properties record searches and historic property surveys within each project area. The historic properties literature search included records held at the Washington State Department of Archaeology and Historic Preservation (i.e., the SHPO), utilizing the Washington Information System for Architectural and Archaeological Records Data. The historic properties surveys identified six structures within the Lynden LPOE APE and seven structures within the Sumas LPOE APE that are greater than 50 years old. GSA determined that none of the structures are eligible for the National Register of Historic Places. The SHPO concurred with GSA's eligibility determinations regarding both the Lynden LPOE and Sumas LPOE APEs (See Section 3.1.3.4). Details regarding

Section 106 consultation, including coordination with affected tribes, may be found in Chapter 6, Consultation and Coordination, and Appendix A.

Community Outreach – This comment is Outside the Scope of the EIS; however, GSA will consider this request. GSA followed the required process for NEPA to communicate with the local communities in the vicinity of the Lynden and Sumas LPOEs. GSA held a scoping meeting, multiple community outreach meetings, and a public hearing. In addition, GSA provided multiple advertisement of these meetings and EIS comment periods by publishing this information in local newspapers, the Federal Register, and the GSA project websites; posters were sent and put up at local businesses and the City Halls; and by posting multiple social media advertisements. In addition, the Draft EIS was provided to the Lynden and Sumas Libraries.

Lost Business and Tax Revenue to the City – The Sumas LPOE modernization and expansion project would have long-term, minor to moderate, local, beneficial impacts to the economy (See Section 3.11.2.3). GSA is working closely with local businesses and the City of Sumas to discuss options for addressing this concern.

Comment ID #34: Private Citizen, Anonymous

Subject: Outside the Scope of the EIS

Comment Letter submitted via email: September 26, 2024

I recommend we not permit the expansion of the ports, to better protect the environment. We need to contract, retreat, and rewild areas especially on the coastlines. Since a major tsunami is expected anytime on WA coast due to the fault and subsequent earth quakes, it is better to wait and then repair. Also sea level rise will likely destroy or affect any development done in the immediate future at the port, so that would be another reason to postpone any investment in the port.

It would be wasteful to jeopardize investment in the port that would likely be affected by earthquakes and sea level rise.

GSA Response: This comment is outside the scope of the EIS.

D.3 NOTICE OF AVAILABILITY FOR DRAFT EIS, FEDERAL REGISTER

The Notice of Availability (NOA) for the Draft EIS was published in the Federal Register on August 12, 2024.



65626

Federal Register / Vol. 89, No. 155 / Monday, August 12, 2024 / Notices

or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue, NW, Washington DC 20551-0001, not later than August 27, 2024.

A. Federal Reserve Bank of Dallas (Karen Smith, Director, Mergers & Acquisitions) 2200 North Pearl Street, Dallas, Texas 75201-2272. Comments can also be sent electronically to Comments.applications@dal.frb.org:

1. *The Tim Tregellas Trust—Perryton Bancshares Trust S, Tim Tregellas, as trustee Aledo, Texas; and The William Mac Tregellas Trust—Perryton Bancshares Trust S, William Mac Tregellas, as trustee, Perryton, Texas;* to join the Tregellas Family Group, a group acting in concert, to acquire voting shares of Perryton Bancshares, Inc., and thereby indirectly acquire voting shares of The Perryton National Bank, both of Perryton, Texas. In addition, Chad Tregellas, Aledo, Texas, Tiffany Tregellas, Fort Worth, Texas, and William Seth Tregellas, Perryton, Texas, to join the Tregellas Family Group, to retain voting shares of Perryton Bancshares, Inc., Perryton, Texas.

Board of Governors of the Federal Reserve System.

Erin Cayce,
Assistant Secretary of the Board.

[FR Doc. 2024-17925 Filed 8-9-24; 8:45 am]

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GENERAL SERVICES ADMINISTRATION

[Notice-ME-2024-03; Docket No. 2024-0002; Sequence No. 39]

Notice of General Services Administration's (GSA) Office of Government-Wide Policy Emerging Trends and Policy Symposium

AGENCY: Office of Government-wide Policy (OGP), General Services Administration (GSA).

ACTION: Notice of hybrid symposium.

SUMMARY: GSA's Office of Technology Policy is hosting an Emerging Trends and Policy Symposium to bring the Federal, academia, and industry communities together for a series of presentations and a fireside chat to discuss trends and policies that foster innovation within the field of artificial intelligence.

DATES: Thursday, September 19, from 8 a.m. to noon, eastern time (ET).

ADDRESSES: All attendees, including industry partners, must register for the event here: https://gsa.zoomgov.com/webinar/register/WN_oY5kVOReT8aprYXH8EoCPig.

Members of the press are invited to attend but are required to register with the GSA Press Office via email to press@gsa.gov by Friday, September 6, 2024.

FOR FURTHER INFORMATION CONTACT: GSA's Office of Technology Policy Front Office (mefrontoffice@gsa.gov) and Shawn Watson at shawn.watson@gsa.gov or 202-368-0854.

SUPPLEMENTARY INFORMATION:

Background

Artificial Intelligence (AI) technologies are rapidly transforming industries, economies, and societies. The Federal Government aims to address the dynamic landscape of AI through informed policy discussions, ensuring these technologies are developed and deployed responsibly.

Emerging AI trends include machine learning advancements, natural language processing, applications in vehicles, drones, and robots, as well as the integration of big data.

Considerations to policy should be informed by ethical AI development, privacy and security, workforce impact, collaboration, and standardization while

promoting innovation and acting ethically.

Format

The Emerging Trends and Policy Symposium convenes leaders from the Federal Government, academia, and industry to discuss their experiences with artificial intelligence. The summit will include four presentations and a fireside chat panel discussion.

If you have questions for the panelists, you can email them to mefrontoffice@gsa.gov.

Special Accommodations

ASL Interpreter will be in attendance online and in person. Zoom will have the option to enable closed captioning. If additional accommodations are needed, please note them on the Zoom Webinar registration form.

In-Person and Webinar Speakers (Subject to Change Without Notice)

Hosted by:

- Shawn Watson, *Program Management Officer; GSA Office of Government-wide Policy, Office of Technology Policy*
- Babur Kohy, *Director (Acting), Identity Assurance and Trusted Access Division, GSA Office of Government-wide Policy, Office of Technology Policy*

Agenda Topic Areas

- Acquisition Approaches to Emerging Technologies
- Past, Present, and Future Possibilities of Government Adoption of AI
- A Generative AI Flexible Architecture Approach and Roadmap
- Artificial Intelligence Policy

Katherine Joyce,

General Services Administration, Office of Government-wide Policy, Office of Technology Policy, Chief of Staff.

[FR Doc. 2024-17866 Filed 8-9-24; 8:45 am]

BILLING CODE 6820-68-P

GENERAL SERVICES ADMINISTRATION

[Notice-P-2024-08; Docket No. 2024-0002; Sequence No. 36]

Notice of Availability for a Draft Environmental Impact Statement and Floodplain Assessment and Statement of Findings for the Kenneth G. Ward (Lynden) and Sumas Land Ports of Entry Modernization and Expansion Projects in Lynden and Sumas, Washington

AGENCY: Public Buildings Service (PBS), United States (U.S.) General Services Administration (GSA).

ACTION: Notice of availability (NOA); public notice of floodplain assessment and statement of findings; announcement of public hearing.

SUMMARY: This notice announces the availability of the Draft Environmental Impact Statement (EIS), which examines potential environmental impacts from the modernization and expansion of the Lynden and Sumas Land Ports of Entry (LPOE) in Lynden and Sumas, Washington. The existing Lynden and Sumas LPOEs are owned and managed by GSA and operated by the U.S. Department of Homeland Security's Customs and Border Protection (CBP). The Draft EIS describes the purpose and need for the project; alternatives considered; the existing environment that could be affected; the potential impacts resulting from each of the alternatives; and proposed best management practices and/or mitigation measures. The Draft EIS also includes a Floodplain Assessment and Statement of Findings due to the construction in a floodplain at the Sumas LPOE.

DATES:

Public Comment Period—The Public Comment Period begins with publication of this NOA in the **Federal Register** and will last until September 26, 2024. Written comments must be received or postmarked by the last day of the Public Comment Period (see the **ADDRESSES** section of this NOA on how to submit comments).

Hearing Date—GSA will host an in-person, open house public hearing on Wednesday, September 4, 2024, from 6 p.m. to 8 p.m., Pacific Time (PT) (see the **ADDRESSES** section below for location address).

ADDRESSES:

Hearing Location—The public may attend the hearing at the American Legion Post 212 Building at 134 Harrison St., Sumas, WA 98295, to view the presentation and provide comments on the Draft EIS. GSA staff members will be available to assist the public in providing public comments.

Public Comments—In addition to oral comments and written comments provided at the public hearing, members of the public may also submit comments by one of the following methods. All oral and written comments will be considered equally and will be part of the public record.

- Electronic comments should be submitted to the Lynden and Sumas LPOE email addresses listed below.

- lyndenlpoe@gsa.gov
- sumaslpoe@gsa.gov

Please include 'Lynden and Sumas LPOEs EIS' in the subject line of the message.

- Written comments on the EIS should be mailed to: ATTN: Patrick Manning, Capital Project Manager, Lynden and Sumas LPOEs EIS, U.S. General Services Administration, Northwest/Artic, Region 10, 1301 A Street, Suite 610, Tacoma, WA 98402.

FOR FURTHER INFORMATION CONTACT: Patrick Manning, Capital Project Manager, GSA at the Lynden and Sumas LPOE email addresses at lyndenlpoe@gsa.gov or sumaslpoe@gsa.gov, or at 202-501-4755.

SUPPLEMENTARY INFORMATION:

Public Comment Period

The views and comments of the public are necessary in helping GSA in its decision-making process regarding environmental, cultural, and economic impacts. Public comments will be solicited through an in-person public hearing; direct mail correspondence to appropriate Federal, state, and local agencies, Tribes, and to private organizations and citizens who have previously expressed or are known to have an interest in the project; and in local newspapers. The Draft EIS has considered previous input provided during the scoping period.

Public Hearing Information

The public hearing will begin with presentations on the National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) processes, which are being executed concurrently for this project, as well as an overview of the proposed project, and then will continue with the findings of the Draft EIS. A copy of the presentation slideshow will be made available within days of the hearing at the GSA websites at www.gsa.gov/lynden and www.gsa.gov/sumas. Following the presentation, GSA will hold an open house meeting where members of the public can discuss the projects with GSA staff members and provide written comments on the Draft EIS.

Background

The existing 4.8-acre Lynden LPOE serves as the port of entry for people and vehicles connecting Lynden, Washington to Aldergrove, British Columbia, Canada. The LPOE currently operates 16 hours per day, 7 days per week and processes privately owned vehicles (POVs), buses, pedestrians, and permitted commercial traffic. The existing 4.0-acre Sumas LPOE serves as the port of entry for people and vehicles connecting Sumas, Washington to Abbotsford, British Columbia, Canada. The LPOE operates 24 hours per day, 7 days per week and processes POVs,

buses, pedestrians, and commercial traffic.

The purpose of these expansion and modernization projects is for GSA to support the CBP mission through modernizing and expanding the Lynden and Sumas LPOEs. Accomplishing this purpose would increase the functionality, capacity, operational efficiency, effectiveness, security, sustainability, and safety of the Lynden and Sumas LPOEs. The projects are generally needed to update the current facilities at the Lynden and Sumas LPOEs, which no longer function adequately and cannot meet CBP current operational needs or Program of Requirements. The existing Lynden and Sumas LPOEs have not undergone major improvements since their initial construction in the late 1980s and do not have sufficient space for modernization and expansion. Both facilities also have configuration and space issues that cause traffic, delays in processing times, and safety and security issues for inspection personnel. Additionally, these facilities do not have the ability to incorporate new technologies as they become available. The projects at the Lynden and Sumas LPOEs are analyzed jointly in this Draft EIS due to their proximity (approximately 10 miles) to one another. Operational changes at one of the two LPOEs could have impacts on the other LPOE, especially during construction. GSA has prepared a Draft EIS to assess the potential impacts of these expansion and modernization projects.

Alternatives Under Consideration

The EIS considers two action alternatives for the Lynden LPOE and three action alternatives for the Sumas LPOE, along with two construction sequencing options. GSA also considers the No Action Alternatives for each project location.

Action alternatives for the Lynden LPOE are described below.

Lynden Alternative 2 (East-West Oriented LPOE Expansion) would involve potential acquisition of primarily agricultural land to the west of the LPOE, site preparation, and construction to modernize and expand the LPOE. The maximum proposed limits of disturbance for Lynden Alternative 2 would be approximately 14.5 acres.

Lynden Alternative 3 (North-South Oriented LPOE Expansion) would include the same action as Lynden Alternative 2, with a difference of alignment. The maximum proposed limits of disturbance for Alternative 3 would be approximately 10.3 acres.

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Action Alternatives for the Sumas LPOE are described below.

Sumas Alternative 2 (Feasibility Study Preferred Alternative) would involve potential acquisition of land south and east of the LPOE, site preparation, and construction to modernize and expand the LPOE. The maximum proposed limits of disturbance for Sumas Alternative 2 would be approximately 12.9 acres.

Sumas Alternative 3 (Commercial Inspection West) would include the same action and maximum proposed limits of disturbance as Alternative 2, with a difference of a “flipped” alignment of the commercial inspection facility.

Sumas Alternative 4 (Multi-Story Construction LPOE Expansion) would include the same action and maximum proposed limits of disturbance as Sumas Alternative 2, with a difference of multi-story Main Building being constructed.

Construction sequencing options are described below.

Under the Concurrent Construction option, both ports would remain open during construction. Pedestrian access would be maintained through the ports by utilizing and resetting, as necessary, various access and safety controls. POV access would also be maintained through both ports using various controls, which may require limits on the number of open processing lanes and shifting of POVs to commercial owned vehicle (COV) lanes for limited times. COVs may need to be detoured at times to other ports to permit adequate space for continued POV processing.

Under the Sequential Construction Option, GSA and CBP are considering the potential for closure of the Lynden LPOE. All traffic, pedestrians, POVs, and COVs would be detoured from the Lynden LPOE during the majority of its construction. Once the modernized and expanded Lynden LPOE is reopened, construction that impacts traffic would begin on the Sumas LPOE. The Sumas LPOE would remain open to pedestrians and POVs during construction to the greatest extent possible. COVs would be detoured from the Sumas LPOE to other LPOEs during portions of the construction period.

The Draft EIS addresses the potential environmental impacts of the proposed alternatives on environmental resources including land use; water resources; biological resources; geology, topography, and soils; air quality, climate change, and greenhouse gases; human health and safety; infrastructure and utilities; traffic and transportation; noise and vibration; socioeconomic; and environmental justice and protection of children’s health and

safety. Based on the analysis presented in the Draft EIS, impacts to all resource areas would be less-than-significant (*i.e.*, negligible, minor, or moderate) adverse or beneficial. Impact reduction measures are presented in the Draft EIS to reduce potential adverse effects.

GSA is currently undergoing formal consultation with the State Historic Preservation Officer (SHPO) and consulting parties to follow coordination procedures as required under section 106 of the NHPA to determine impacts to historic properties. Mitigation measures may be determined in consultation between GSA, SHPO, and applicable consulting parties.

GSA is in the process of conducting informal consultation with the U.S. Fish and Wildlife Service (USFWS) under section 7 of the Endangered Species Act to determine potential effects to federally protected species and migratory birds. GSA initiated consultation with the USFWS regarding the Lynden LPOE and Sumas LPOE and is awaiting USFWS responses and findings. Once received, USFWS responses and findings would be included in the Final EIS.

GSA coordinated with the Natural Resources Conservation Service (NRCS) via email concerning the Federal Farmland Protection Policy Act conversion impact rating forms completed for both the Lynden and Sumas LPOEs and is awaiting NRCS responses and findings. Once received, the NRCS responses and findings would be included in the Final EIS.

The Sumas LPOE project area is located within the 1-percent-annual-chance floodplain (also referred to as the base flood or 100-year flood) and 0.2-percent-annual-chance floodplain (also referred to as the 500-year flood). In compliance with Executive Order 11988 (Floodplain Management), GSA prepared a Floodplain Assessment and Statement of Findings addressing potential impacts on floodplains, which is included in the Draft EIS for public review and comment. As described in the Draft EIS, GSA would follow Federal, state, and local regulatory compliance requirements and incorporate design standards at the Sumas LPOE to minimize impacts to floodplains.

Anamarie Crawley,
Director, R10 Facilities Management Division
Northwest/Arctic Region 10, U.S. General
Services Administration.

[FR Doc. 2024–17864 Filed 8–9–24; 8:45 am]

BILLING CODE 8820–DL–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Common Formats for Patient Safety Data Collection

AGENCY: Agency for Healthcare Research and Quality (AHRQ), Department of Health and Human Services (HHS).

ACTION: Notice of availability—new common formats.

SUMMARY: As authorized by the Secretary of HHS, AHRQ coordinates the development of common definitions and reporting formats (Common Formats or formats) for reporting on health care quality and patient safety. The purpose of this notice is to announce the availability of *Common Formats for Surveillance—Hospital (CFS–H) Version 1.0*.

DATES: Ongoing public input.

ADDRESSES: The *Common Formats for Surveillance—Hospital Version 1.0* can be accessed electronically at the following website: https://www.psoppc.org/psoppc_web/publicpages/surveillance/commonformats.

FOR FURTHER INFORMATION CONTACT: Dr. Hamid Jalal, Center for Quality Improvement and Patient Safety, AHRQ, 5600 Fishers Lane, Rockville, MD 20857; Telephone (toll free): (866) 403–3697; Telephone (local): (301) 427–1111; TTY (toll free): (866) 438–7231; TTY (local): (301) 427–1130; Email: psoppc@ahrq.hhs.gov.

SUPPLEMENTARY INFORMATION:

Background on Common Formats Development

The Patient Safety and Quality Improvement Act of 2005, 42 U.S.C. 299b-21 to 299b-26, (Patient Safety Act) and the related Patient Safety and Quality Improvement Final Rule, 42 CFR part 3 (Patient Safety Rule), published in the *Federal Register* on November 21, 2008, 73 FR 70731–70814, provide for the formation of Patient Safety Organizations (PSOs), which collect and analyze confidential and privileged information regarding the quality and safety of health care delivery that meets the definition of PSWP. Aggregation of these data enables PSOs and others to identify and address underlying causal factors of patient safety and quality issues.

The Patient Safety Act provides for the development of standardized reporting formats using common language and definitions to ensure that health care quality and patient safety

D.4 NEWSPAPER AFFIDAVITS FOR DRAFT EIS

The NOA for the Draft EIS was published in the *Cascadia Daily News* on August 9, 2024 and in the *Lynden Tribune* on August 14, 2024.



AFFIDAVIT OF PUBLICATION

Potomac-Hudson Engineering
9706 Zircon Drive SW
Lakewood, WA 98498

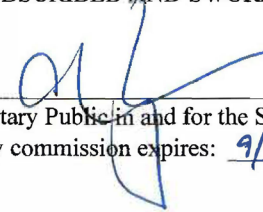
STATE OF WASHINGTON)
) ss.
COUNTY OF WHATCOM)

The undersigned, Megan Johnson, on oath states that she is an authorized representative of the Cascadia Newspaper Company, LLC, publisher of Cascadia Daily News. The Cascadia Daily News is a newspaper of general circulation published every Friday in Bellingham, Washington. The Cascadia Daily News is a legal newspaper approved by the Whatcom County Superior Court for the publication of any advertisement, notice, summons, report, proceeding, or other official document required by law.

The notice in the form shown on the attached annexed was published in the Cascadia Daily News on August 9th, 2024, Vol. II, Issue XXXIV.


Name: _____

SUBSCRIBED AND SWORN before me on this 9th day of August, 2024


Notary Public in and for the State of Washington. Residing at Bellingham.
My commission expires: 9/27/25

[Seal]



8/9/24, 11:43 AM

replica.cascadiadaily.com/cascadia-daily-news/20240809

CASES ON WATER, BIOLOGICAL and electricity infrastructure in the county and is governed by a board of three commissioners, who establish policy, set rates, adopt system plans, approve budgets and appoint



Atul Deshmane (Photo courtesy of Atul Deshmane)

electric customer, the Phillips 66 refinery in Cherry Point, in addition to its own water treatment plants. Incumbent and Commission Vice President Deshmane is running to keep his seat representing District

John Meridian served in for four years running a business is to manage energy s

Notice of Availability for a Draft Environmental Impact Statement and Floodplain Assessment and Statement of Findings for the Kenneth G. Ward (Lynden) and Sumas Land Ports of Entry Modernization and Expansion Projects in Lynden and Sumas, Washington

The United States (U.S.) General Services Administration (GSA) is issuing this notice to advise the public that a Draft Environmental Impact Statement (EIS) has been prepared to analyze the potential environmental impacts resulting from the modernization and expansion of the Lynden and Sumas Land Ports of Entry (LPOE) in Lynden and Sumas, Washington. The Draft EIS was developed in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality (CEQ) regulations implementing NEPA, the GSA Public Buildings Service NEPA Desk Guide, and other relevant laws, regulations, and Executive Orders, including the National Historic Preservation Act (NHPA). The Draft EIS includes a Floodplain Assessment and Statement of Findings as an appendix.

The Lynden and Sumas LPOEs are owned and managed by GSA and operated by the U.S. Department of Homeland Security's Customs and Border Protection (CBP). The existing Lynden LPOE serves as the port of entry for people and vehicles connecting Lynden, Washington to Aldergrove, British Columbia, Canada, and processes privately owned vehicles (POVs), buses, pedestrians, and a limited amount of permitted commercial traffic. The existing Sumas LPOE serves as the port of entry for people and vehicles connecting Sumas, Washington to Abbotsford, British Columbia, Canada, and processes POVs, buses, pedestrians, and commercial traffic. GSA has prepared a Draft EIS to assess the potential impacts of the Lynden and Sumas LPOE modernization and expansion projects jointly due to the close proximity (approximately 10 miles) of these ports to one another. Operational changes at one of the two LPOEs could have impacts on the other LPOE, especially during construction.

The purpose of these expansion and modernization projects is for GSA to support the CBP mission through modernizing and expanding the Lynden and Sumas LPOEs. Accomplishing this purpose would increase the functionality, capacity, operational efficiency, effectiveness, security, sustainability, and safety of the Lynden and Sumas LPOEs.

The projects are generally needed to update the current facilities at the Lynden and Sumas LPOEs, which no longer function adequately and cannot meet CBP current operational needs or Program of Requirements. The existing Lynden and Sumas LPOEs have not undergone major improvements since their construction in the late 1980s and do not have sufficient space for modernization and expansion within their current layout. Additionally, the constrained layout limits CBP's ability to incorporate new technologies as they become available.

The public is encouraged to attend and participate in an in-person, open house public hearing to be held on **September 4, 2024, from 6 p.m. to 8 p.m. PT**. The purpose of this hearing is to present the findings of the Draft EIS to the public and to solicit feedback on the analysis, including the Floodplain Assessment and Statement of Findings that is included as an appendix to the Draft EIS. The hearing will be held at the **American Legion Post 212 building at 134 Harrison St, Sumas, WA, 98295**.

The hearing will begin with a presentation and will be followed by a public comment session. GSA staff members will be available to assist the public in providing public comments. Those not able to attend in person may submit comments via e-mail or mail, as instructed below. All written or verbal comments will be treated with equal importance. A copy of the presentation slideshow will be made available within days of the hearing at the GSA websites at www.gsa.gov/lynden and www.gsa.gov/sumas.

GSA is soliciting comments from interested persons and stakeholders on the Draft EIS during a 45-day comment period. Comments received during the 45-day comment period will be considered in preparation of the Final EIS and will be made part of the Administrative Record. All public comments must be received by **September 23, 2024** in order to be considered in the Final EIS.

Electronic comments should be sent to the Lynden and Sumas LPOE email addresses:

- lyndenlpo@gsa.gov
- sumaslpo@gsa.gov

Written comments on this EIS should be mailed to:

ATTN: Patrick Manning, Capital Project Manager
Lynden and Sumas LPOEs EIS
U.S. General Services Administration,
Northwest/Arctic Region 10
1301 A Street, Suite 610
Tacoma, Washington 98402

For more information or if special assistance is needed to attend and participate in the Draft EIS public hearing, please contact Patrick Manning, GSA Region 10 Capital Project Manager at the Lynden and Sumas LPOE email addresses at lyndenlpo@gsa.gov or sumaslpo@gsa.gov. For press inquiries, contact Christi Chidester Votisek, Public Affairs Officer at 253-931-7127 or at christina.chidester@gsa.gov.

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Lynden Tribune – August 14, 2024 – Excerpt

Lynden Tribune

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON,
COUNTY OF WHATCOM

C. Griffin being first sworn on oath, deposes and says that she is the principal clerk of the LYNDEN TRIBUNE, a weekly newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of publications hereinafter referred to, published in the English language continually as a weekly newspaper in Whatcom County, Washington, and it is now, and during all of said time was, printed in an office maintained at the aforesaid place of publication of said newspaper.

See reverse

That the annexed is a true copy of a GSA Public Notice as it was published in regular issues (and not in supplement form)

of said newspaper once each week for a period of 1 consecutive weeks, commencing on the

14th day of August 2024, and ending on the _____ day of _____ 20____, both dates inclusive, and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the

foregoing publication is the sum of \$ 776.00 which amount has been paid in full.

Subscribed and sworn to before me this 14th day of August 2024

MD Lewis

Notary Public in and for the State of Washington, residing in Bellingham.



Notice of Availability for a Draft Environmental Impact Statement and Floodplain Assessment and Statement of Findings for the Kenneth G. Ward (Lynden) and Sumas Land Ports of Entry Modernization and Expansion Projects in Lynden and Sumas, Washington

The United States (U.S.) General Services Administration (GSA) is issuing this notice to advise the public that a Draft Environmental Impact Statement (EIS) has been prepared to analyze the potential environmental impacts resulting from the modernization and expansion of the Lynden and Sumas Land Ports of Entry (LPOE) in Lynden and Sumas, Washington. The Draft EIS was developed in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality (CEQ) regulations implementing NEPA, the GSA Public Buildings Service NEPA Desk Guide, and other relevant laws, regulations, and Executive Orders, including the National Historic Preservation Act (NHPA). The Draft EIS includes a Floodplain Assessment and Statement of Findings as an appendix.

The Lynden and Sumas LPOEs are owned and managed by GSA and operated by the U.S. Department of Homeland Security's Customs and Border Protection (CBP). The existing Lynden LPOE serves as the port of entry for people and vehicles connecting Lynden, Washington to Aldergrove, British Columbia, Canada, and processes privately owned vehicles (POVs), buses, pedestrians, and a limited amount of permitted commercial traffic. The existing Sumas LPOE serves as the port of entry for people and vehicles connecting Sumas, Washington to Abbotsford, British Columbia, Canada, and processes POVs, buses, pedestrians, and commercial traffic. GSA has prepared a Draft EIS to assess the potential impacts of the Lynden and Sumas LPOE modernization and expansion projects jointly due to the close proximity (approximately 10 miles) of these ports to one another. Operational changes at one of the two LPOEs could have impacts on the other LPOE, especially during construction.

The purpose of these expansion and modernization projects is for GSA to support the CBP mission through modernizing and expanding the Lynden and Sumas LPOEs. Accomplishing this purpose would increase the functionality, capacity, operational efficiency, effectiveness, security, sustainability, and safety of the Lynden and Sumas LPOEs.

The projects are generally needed to update the current facilities at the Lynden and Sumas LPOEs, which no longer function adequately and cannot meet CBP current operational needs or Program of Requirements. The existing Lynden and Sumas LPOEs have not undergone major improvements since their construction in the late 1980s and do not have sufficient space for modernization and expansion within their current layout. Additionally, the constrained layout limits CBP's ability to incorporate new technologies as they become available.

The public is encouraged to attend and participate in an in-person, open house public hearing to be held on **September 4, 2024, from 6 p.m. to 8 p.m. PT**. The purpose of this hearing is to present the findings of the Draft EIS to the public and to solicit feedback on the analysis, including the Floodplain Assessment and Statement of Findings that is included as an appendix to the Draft EIS. The hearing will be held at the **American Legion Post 212 building at 134 Harrison St, Sumas, WA, 98295**.

The hearing will begin with a presentation and will be followed by a public comment session. GSA staff members will be available to assist the public in providing public comments. Those not able to attend in person may submit comments via e-mail or mail, as instructed below. All written or verbal comments will be treated with equal importance. A copy of the presentation slideshow will be made available within days of the hearing at the GSA websites at www.gsa.gov/lynden and www.gsa.gov/sumas.

GSA is soliciting comments from interested persons and stakeholders on the Draft EIS during a 45-day comment period. Comments received during the 45-day comment period will be considered in preparation of the Final EIS and will be made part of the Administrative Record. All public comments must be received by **September 23, 2024** in order to be considered in the Final EIS.

Electronic comments should be sent to the Lynden and Sumas LPOE email addresses:
lyndenlpoe@gsa.gov, sumaslpoe@gsa.gov

Written comments on this EIS should be mailed to:
ATTN: Patrick Manning, Capital Project Manager - Lynden and Sumas LPOEs EIS
U.S. General Services Administration, Northwest/Arctic Region 10
1301 A Street, Suite 610 - Tacoma, Washington 98402

For more information or if special assistance is needed to attend and participate in the Draft EIS public hearing, please contact Patrick Manning, GSA Region 10 Capital Project Manager at the Lynden and Sumas LPOE email addresses at lyndenlpoe@gsa.gov or sumaslpoe@gsa.gov. For press inquiries, contact Christi Chidester Votisek, Public Affairs Officer at 253-931-7127 or at christina.chidester@gsa.gov.

D.5 EMAILS AND LETTERS SENT TO STAKEHOLDERS

Emails were sent to stakeholders and interested parties regarding the Draft EIS on August 12, 2024 requesting them to review and comment on the Draft EIS.

From: [REDACTED]
Bcc: [REDACTED]

Subject: Availability of the Draft EIS for the Kenneth G. Ward (Lynden) and Sumas Land Ports of Entry Modernization and Expansion Projects and Notification of Public Hearing (September 4, 2024)
Date: Monday, August 12, 2024 2:13:00 PM
Attachments: [Lynden-Sumas LPOE Draft EIS Stakeholder Letter General 08-12-2024.pdf](#)
[image001.png](#)

Good Afternoon,

U.S. General Services Administration (GSA) Region 10 has prepared a Draft Environmental Impact Statement (EIS) to analyze the potential environmental impacts from the proposed modernization and expansion of the existing Kenneth G. Ward (Lynden) and Sumas LPOEs in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA) and the National Historic Preservation Act (NHPA). A Notice of Availability (NOA) was published in the [Federal Register](#) today (August 12, 2024) announcing the availability, and opportunity for public review of the Draft EIS. Please find attached a letter from GSA Region 10 with more information related to this EIS, details on how to access the EIS, and methods for submitting comments.

The public is encouraged to attend and participate in an in-person, open house public hearing to be held on September 4, 2024, from 6 p.m. to 8 p.m. PT. The purpose of this hearing is to present the findings of the Draft EIS to the public and to solicit feedback on the analysis. The public hearing will be held at the American Legion Post 212 building located at 134 Harrison St, Sumas, WA, 98295. The hearing will begin with a presentation and will be followed by a public comment session. GSA staff members will be available to assist the public in providing public comments. Those not able to attend in person may submit comments via e-mail or mail, as instructed in the attached letter. Hard copies of the Draft EIS are also available at the Lynden Public Library located at 216 4th Street Lynden, WA 98264 and the Sumas Public Library located at 461 Second Street, Sumas, WA 98295. All written or verbal comments will be treated with equal importance. All public comments received by September 26, 2024 will be considered in the Final EIS.

[REDACTED]

[REDACTED]

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U.S. General Services Administration

August 12, 2024

To Whom it May Concern,

The U.S. General Services Administration (GSA) Region 10 has prepared a Draft Environmental Impact Statement (EIS) to analyze the potential environmental impacts from the proposed expansion and modernization of the existing Kenneth G. Ward (Lynden) and Sumas Land Ports of Entry (LPOE) in Lynden and Sumas, Washington, in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA) and the National Historic Preservation Act (NHPA). GSA is soliciting comments on the Draft EIS, which includes a Floodplain Assessment and Statement of Findings as an appendix.

The Lynden LPOE serves as the port of entry for people and vehicles connecting Lynden, Washington to Aldergrove, British Columbia, Canada. The Sumas LPOE serves as the port of entry for people and vehicles connecting Sumas, Washington to Abbotsford, British Columbia, Canada. The projects at the Lynden and Sumas LPOEs are analyzed jointly in the Draft EIS due to their proximity (approximately 10 miles) to one another. Operational changes at one of the LPOEs could have impacts on the other LPOE, especially during construction. The Draft EIS examines the impacts on human, natural, and cultural resources from potential improvements at the LPOEs, including site expansion, demolition, and new construction.

The purpose of these projects is for GSA to support the U.S. Department of Homeland Security's Customs and Border Protection (CBP) mission through modernizing and expanding the Lynden and Sumas LPOEs. Accomplishing this purpose would increase the functionality, capacity, operational efficiency, effectiveness, security, sustainability, and safety of the Lynden and Sumas LPOEs.

The Draft EIS considers two action alternatives for the Lynden LPOE, three action alternatives for the Sumas LPOE, and a "no action" alternative for each LPOE. The "no action" alternative assumes that GSA would not expand or modernize the Lynden or Sumas LPOEs and that operations would continue under the current conditions.

At the Lynden LPOE, GSA proposes to construct a Main Building and Head House, a non-intrusive inspection building, commercial inspection yard, inspection booths/canopies, staff/visitor parking, inbound and outbound inspection areas, and utility facilities, as needed. The two action alternatives differ in the direction of the LPOE expansion and the maximum proposed limit of disturbance. The option to expand the LPOE to the west and east would disturb a maximum area of approximately 14.5 acres. The other action alternative would expand the LPOE to the north and south and would impact a maximum of approximately 10.3 acres.

At the Sumas LPOE, GSA proposes to construct a Main Building, a non-intrusive inspection building, inspection booths/canopies, inbound and outbound inspection areas, hazardous materials and agriculture inspection platforms, stormwater detention area, outdoor parking and staging areas, and utility facilities, as needed. The three action alternatives differ in the potential siting of inspection facilities and construction of a single or multi-story port building. The proposed maximum extent of disturbance under any of the Sumas action alternatives is approximately 12.9 acres.

Two construction sequencing options were considered in the Draft EIS; these options are independent of the action alternatives and could be implemented with any of the action alternatives. Under the Concurrent Construction option, both ports would remain open during construction. Under the Sequential Construction option, GSA and CBP are considering the

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U.S. General Services Administration

potential for a temporary closure of the Lynden LPOE. Additional details on the alternatives and the construction sequencing options being considered are provided in the Draft EIS.

The Draft EIS addresses the potential environmental impacts of the proposed alternatives on environmental resources including land use; water resources; biological resources; geology, topography, and soils; air quality, climate change, and greenhouse gases; human health and safety; infrastructure and utilities; traffic and transportation; noise and vibration; socioeconomics; and environmental justice and protection of children's health and safety. Based on the analysis presented in the Draft EIS, impacts to all resource areas would be less than significant (i.e., negligible, minor, or moderate). Impact reduction measures are presented in the Draft EIS to reduce potential adverse effects.

The Sumas LPOE project area is located within the 1-percent-annual-chance floodplain (also referred to as the base flood or 100-year flood) and 0.2-percent-annual-chance floodplain (also referred to as the 500-year flood). In compliance with Executive Order 11988 (Floodplain Management), GSA prepared a Floodplain Assessment and Statement of Findings, addressing potential impacts on floodplains, which is included in the Draft EIS for public review and comment. As described in the Draft EIS, GSA would follow federal, state, and local regulatory compliance requirements and incorporate design standards at the Sumas LPOE to minimize impacts to floodplains.

The public is encouraged to attend and participate in an in-person, open house public hearing to be held on **September 4, 2024, from 6 p.m. to 8 p.m. PT**. The purpose of this hearing is to present the findings of the Draft EIS to the public and to solicit feedback on the analysis. The hearing will be held at the **American Legion Post 212 building at 134 Harrison St, Sumas, WA, 98295**.

The hearing will begin with a presentation and will be followed by a public comment session. GSA staff members will be available to assist the public in providing public comments. Those not able to attend in person may submit comments via e-mail or mail, as instructed below. All written or verbal comments will be treated with equal importance. All public comments received by **September 26, 2024** will be considered in the Final EIS.

Electronic comments should be sent to the Lynden and Sumas LPOE email addresses:

- lyndenlpoegsa.gov
- sumaslpoegsa.gov

Written comments on this EIS should be mailed to:

ATTN: Patrick Manning, Capital Project Manager
Lynden and Sumas LPOEs EIS
U.S. General Services Administration, Northwest/Arctic Region 10
1301 A Street, Suite 610
Tacoma WA 98402

For more information or if special assistance is needed to attend and participate in the Draft EIS public hearing, please contact Patrick Manning, GSA Region 10 Capital Project, at the Lynden and Sumas email addresses at lyndenlpoegsa.gov and sumaslpoegsa.gov.

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U.S. General Services Administration

Additional information and project updates are available on the GSA websites at:
www.gsa.gov/lynden and www.gsa.gov/sumas.

Sincerely,

DocuSigned by:
Patrick Manning
841D7EB0EAFE4F5...
Patrick Manning
Capital Project Manager
GSA | Public Buildings Service | Region 10

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