RECORD OF DECISION

Final Supplemental Environmental Impact Statement for the International Falls Land Port of Entry Modernization and Expansion Project

International Falls, Minnesota

ACTION

The U.S General Services Administration (GSA) has published a *Final Supplemental Environmental Impact Statement for the International Falls Land Port of Entry Modernization and Expansion Project in International Falls, Minnesota (MN)*. The Supplemental Environmental Impact Statement (SEIS) was prepared to address project updates that have occurred since publication of a Final EIS completed in 2011. The Final SEIS 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 mitigation commitments. The Final SEIS also includes a Floodplain Assessment and Statement of Findings as a result of construction in designated floodplains. In accordance with the provisions outlined in the SEIS, GSA approves the preferred alternative, identified in the Final SEIS as Alternative 1 – Full Build. The Final SEIS preferred alternative has also been identified as the environmentally preferred alternative. This Record of Decision (ROD) documents the specific components and rationale for GSA's decision. This decision is based on the Final SEIS issued in April 2024; associated technical reports; comments from federal and state agencies, stakeholders, members of the public, and elected officials; and miscellaneous resources contained in the administrative record. The Final SEIS is available at:
https://www.gsa.gov/about-us/gsa-regions/region-5-great-lakes/buildings-and-facilities/minnesota/international-falls-land-port-of-entry.

BACKGROUND

The International Falls Land Port of Entry (LPOE) is a port of entry for vehicles and pedestrians crossing the U.S.-Canada border between International Falls, MN and the town of Fort Frances, Ontario, Canada. The port is operated by the U.S. Department of Homeland Security's Customs and Border Protection (CBP) and is a full-service, multi-modal facility where CBP officers inspect commercially owned vehicles (COVs), privately owned vehicles (POVs), and pedestrians.

The *International Falls LPOE Improvements Study Final EIS*, released in 2011, assessed the potential environmental impacts associated with the proposed action of replacing the International Falls LPOE with a new LPOE facility "to improve safety, security, and functionality." A total of ten build alternatives were considered, and a preferred action alternative was identified in the 2011 Final EIS as best satisfying the purpose and need of the project with the least overall adverse impacts to the environment. The 2011 preferred alternative consisted of demolishing the existing building, constructing new facilities at the existing LPOE, and expanding the LPOE to meet the required space standards and increased security requirements of the Federal Inspection Services. The 2011 preferred alternative proposed to move the majority of the LPOE improvements and operations to an approximately 20-acre site southeast of the existing site. GSA signed and released a ROD in January 2012, which stated that the preferred alternative would have less-than-significant impacts on the natural and social environment of the study area and International Falls, including minor changes or impacts to surface water, surface water runoff, traffic, increased lighting, and hazardous substances.

Since 2011, GSA has identified the following changes that affect the project:

- There have been proposed changes in tenants and use of the space. The U.S. Food and Drug Administration and the U.S. Department of Agriculture/Animal Plant Health Inspection Services/-Plant Protection and Quarantine (USDA/APHIS-PPQ) will need space and facilities at the LPOE.
- The Packaging Corporation of America (PCA) has acquired Boise, Inc. and has a different timber unloading operation occurring adjacent to the proposed acquisition parcel, which will require modifications to the original site plan at the LPOE and offsite on PCA lands.
- A section of First Creek between State Route 11 (SR-11) and the Rainy River that was previously contained in a culvert was identified following the 2011 Final EIS. The culvert has been removed and is now daylighted, requiring impacts analysis.
- There has been an increase in the proposed usable square feet for overall building space needed, based on the addition of a maintenance building and expansion in the sizes of all other buildings per updated agency requirements.
- Stormwater management would be redesigned in the 300-foot section of First Creek due to two new areas of pavement crossing the creek or installation of a new culvert.
- The Resolute Paper Mill in Fort Frances, Ontario has since closed and rail traffic across the bridge has ceased.
- New renewable energy technologies are being considered for implementation at the expanded and modernized LPOE, including solar and geothermal technologies.
- New LPOE access points for privately owned vehicles (POVs) and pedestrians are being considered. The proposed location of the LPOE access point for POVs and pedestrians has shifted from a point on Highway 53 (US-53) and 2nd Street to points located near or at the proposed commercially owned vehicle (COV) access point on SR-11 due to site constraints.

As such, GSA prepared a Draft SEIS in October 2023 and a Final SEIS in April 2024 to assess the potential impacts of these updates and to supplement the analysis in the 2011 Final EIS. Please note that since issuance of the Final SEIS, the preliminary concept for the project has been updated with regards to stormwater management to consider realignment of First Creek, in addition to creek crossings or installation of a new culvert. Refer to the Environmental Consequences discussion below for additional information.

Purpose and Need For the PRoject

The purpose of the Proposed Action is for GSA to support CBP's mission by bringing the International Falls LPOE operations in line with current land port design standards and operational requirements of CBP while addressing existing deficiencies identified with the ongoing port operations. Generally, the deficiencies described in the 2011 EIS remain at the LPOE. The deficiencies fall into two broad categories: deficiencies in the overall site layout and substandard building conditions. Therefore, to bring the International Falls LPOE operations in line with design standards and operational requirements, the Proposed Action is needed to:

- Improve the capacity and functionality of the International Falls LPOE to meet future demand, while maintaining the capability to meet border security initiatives;
- Address spatial and layout constraints that lead to traffic congestion and safety issues for the employees and users of the LPOE; and
- Provide adequate space and facilities for the federal agencies to accomplish their missions.

Project Alternatives Evaluated In the Final SEIS

To supplement the analysis of the 2011 Final EIS, one action alternative – Alternative 1 (Full Build) – was analyzed in the SEIS. Alternative 1 is defined as the acquisition of property, demolition of existing facilities, and construction of the new facilities, as identified under GSA's 2011 preferred alternative, but with modifications based on project updates as identified above. Alternative 1 includes the acquisition of additional acreage to expand the current LPOE site. The proposed site acquisition (herein referred to as the proposed expansion area) is the same expansion area considered under the 2011 preferred alternative. GSA also considered the No Action Alternative in the SEIS, which assumes that GSA would not expand or modernize the International Falls LPOE.

Alternative 1: Full Build

Alternative 1 (Full Build) includes the project as generally assessed under the 2011 preferred alternative but modified by project updates (refer to *Background*). Under Alternative 1, it is expected that the overall organization of functions would remain similar to the 2011 preferred alternative. Similar to the 2011 preferred alternative, the Alternative 1 proposed expansion area encompasses an approximately 20-acre area that stretches east from the LPOE along the Rainy River shoreline to an area just west of a U.S. Border Patrol Station and primarily bordered by SR-11 on the south. Approximately 16 and 4 acres are owned by PCA and Recreational Land Development, LLC (RLD), respectively. The proposed expansion area is zoned as "Manufacturing" and consists of several buildings, a parking lot for PCA trailer parking, and greenspace, including a culverted section of First Creek that drains into the Rainy River. Most of the LPOE functions would be relocated in the expanded portion of the parcel between the Rainy River and SR-11.

Under Alternative 1, all traffic would enter and exit the LPOE from SR-11, east of downtown International Falls. Proposed new circulation patterns would eliminate any vehicular/railway crossings within the LPOE. A new culvert may be installed in the portion of First Creek within the proposed expansion area; alternatively, crossings may be constructed. Coordination with the city or county may be required to establish drainage easements associated with a new culvert. Should a crossing or crossings of any stream be necessary, GSA would install an oversized bottomless arch bridge or three-sided culvert so as to limit or avoid impacts below the ordinary high water mark. GSA would also upgrade utilities by increasing utility capacity for electrical; plumbing, water supply, and sanitary waste; stormwater detention; mechanical; and fire protection to accommodate the site reconfiguration.

A construction phasing plan will be developed during design and implemented during demolition and construction to ensure continuity of operations of the LPOE, as well as minimize disruptions to PCA and other neighboring operations. If determined necessary during the design stage, Alternative 1 may include the installation of temporary facilities, roadways, and other circulation routes within the LPOE footprint to allow for the LPOE to remain operational 24 hours per day, 7 days per week.

Demolition and construction activities are estimated to begin in 2025, with substantial completion anticipated in 2029. Due to weather conditions, it is anticipated that peak construction would occur during the months of April through October. From November through March, it is anticipated construction activities would primarily consist of interior building work and/or within temporary enclosures to protect work conditions from cold weather. Peak construction is estimated to require a potential maximum of 100 construction workers and 150 trucks per day for deliveries and waste removal. During non-peak construction, it is estimated there would be approximately 50 workers onsite and approximately 75 trucks per day for deliveries and waste removal. Demolition and construction would take place primarily during normal business hours; however, some nighttime construction may be required during the months of April through October depending on construction phasing.

Connected Actions

To prepare the proposed expansion area for development, some existing utilities and PCA infrastructure would need to be accommodated in a new way, either within the LPOE via easements or moved off site to the west or south on PCA-owned land. The initial assumptions that were followed in the 2011 Final EIS for the relocation of a new site are no longer valid due to a change in operations by PCA. These changes have also triggered the reconfiguration of some of the existing PCA operations on PCA lands. The following infrastructure may require relocation: chip line booster building, PCA storage building, a leachate line owned by OfficeMax, MD&W parking, PCA private truck road and trailer parking, natural gas line, and power lines. Additionally, PCA is considering replacing the existing elevated pneumatic chip line system with a new elevated belt conveyor system, which would require demolition of the existing pneumatic chip line and construction of two new elevated structures consisting of conveyor belts. Relocation and site work outside of the proposed expansion area would primarily occur on land both west of the LPOE and south of SR-11. Any changes in PCA property boundaries would require an update to the PCA air permit. Relocation of utilities and infrastructure may be conducted by either GSA or PCA, depending on final acquisition negotiations. If GSA does not directly perform the relocation of the infrastructure, PCA would be fairly compensated to conduct such actions. Actions taken by PCA are considered as connected actions to the Proposed Action.

GSA would coordinate with PCA to conduct activities during PCA's shutdown periods to limit impacts to PCA operations. Site preparation would be coordinated as needed with PCA, OfficeMax, MD&W Railway, and utility providers to minimize disruption to operations to the extent practicable. GSA would also coordinate with the other landowner in the proposed expansion area, RLD, as appropriate.

Renewable Energy Technologies

Alternative 1 would consider the implementation of renewable energy technologies within the expanded and modernized LPOE. These technologies were not considered in the 2011 Final EIS but have since been proposed for inclusion in future site plans. Renewable technologies that may be incorporated into the facility design include solar (photovoltaic [PV] or solar collectors) and certain types of geothermal heat pumps. Selection of each technology, to include final sizing, is dependent on final design. It is possible a combination of these technologies could be selected during final design. All associated infrastructure would be constructed within the newly expanded and modernized LPOE footprint.

No Action Alternative

Under the No Action Alternative, there would be no construction of a new LPOE to replace the existing LPOE. Any type of modification to the existing port would be limited to minor repairs and maintenance, as needed. The operation of the International Falls LPOE would generally remain similar to current conditions, but the capacity and efficiency of the port would likely degrade over time due to potential increased traffic demand. Deficiencies in port operations would remain or worsen over time. This alternative would not meet the purpose and need for the Proposed Action.

Environmental Consequences

Resources analyzed in the Final SEIS included geology, topography, and soils; water resources; biological resources; air quality and climate change; noise; traffic and transportation; land use and visual resources; infrastructure and utilities; socioeconomics; cultural resources; human health and safety; and environmental justice and protection of children's health and safety. Based on the analysis presented in the Final SEIS, most adverse impacts would range from minor to moderate under Alternative 1. Major adverse impacts under NEPA could occur to the following resources: traffic and transportation; land use; and human health and safety. Major adverse impacts would primarily result from increased traffic conflicts and safety hazards along the Rainy Lake Bike Trail from locating proposed LPOE access points along SR-11.

Since publication of the Final SEIS, the preliminary concept has been updated to consider realignment of First Creek that was not considered in the Final SEIS. As described in Section 3.3.1.3 of the Final SEIS, approximately 300 feet of First Creek is located within the project boundary. This segment of the creek was formerly running through a culvert that had previously collapsed and is now daylighted within the project area. The latest conceptual design reroutes the First Creek segment from SR-11 for approximately 740 feet eastward then northward through previously disturbed area, eventually discharging into the Rainy River at a point 360 feet east of the current discharge point. The realignment would include raising the channel bed with a series of ripples and steps along the naturalized channel to encourage aquatic organisms to access the naturalized channel. All work related to the proposed realignment would remain entirely within the proposed expansion area. Although the Final SEIS considered the construction of a culvert or bridge crossings and not specifically realignment of the creek, Section 3.3.2.3 of the Final SEIS discussed various permits and agency coordination related to water resources in anticipation of construction activities related to management of the creek portion within the proposed expansion area. Potential permits that were identified in the Final SEIS included: Section 404 and Section 10 permits from USACE; a 401 Certification from MPCA; and a Public Works Water permit and a "no-rise" certificate from MNDNR. Additionally, as stated in the Final SEIS and committed to in this ROD, GSA will conduct a wetland delineation within the project area during project design and finalization of site layout to support any permitting efforts. Since the proposed realignment would remain entirely within the project boundary and permits required would generally remain the same, adverse impacts to water resources from realignment of First Creek would remain consistent with the impacts as analyzed in the Final SEIS.

To date, GSA is actively in discussions with MNDNR and USACE regarding the design concept of the First Creek realignment. MNDNR indicated that although First Creek is not listed as a Public Water, a Public Works Water Permit will be required since the creek channel is below the Rainy River's ordinary high water mark. MNDNR also indicated that the project may have to meet a "no rise" certification, depending on the final design. The area and volume of impacts to First Creek and Rainy River will be needed to determine what type of wetlands permit is required from USACE. GSA will continue to coordinate with MNDNR, USACE, and other agencies as applicable to limit or avoid impacts to water resources.

As noted in the Final SEIS, the access points for POVs and pedestrians were relocated to SR-11 due to spatial constraints related to the narrowness of the project site, CBP security concerns over separating pedestrian and vehicle screening areas too far from each other on the site, and potential concerns over vehicle traffic damaging existing railroad switches. The exact location of the POV entry and exit drives and pedestrian walk are still pending final design but would be located in the same general location as the COV access point, along the southern boundary of the proposed expansion area on SR-11. This would eliminate any POVs or pedestrians from crossing the MD&W Railway rail lines west of the LPOE parcel. As discussed in Section 3.7.2.3 of the Final SEIS, the new access point for pedestrians would increase the walking distance and time but is needed in order for all travelers to be screened at the main port facility before entering and exiting the border. GSA continues to investigate other options to reduce the walking distance/time and is working with the city during the final design process.

Impact reduction measures would mitigate potential adverse effects and are identified below under *Avoidance, Minimization and Mitigation Measures*. Beneficial impacts could occur to the following resource areas: water resources; air quality; noise; traffic and transportation; visual resources; infrastructure and utilities; and socioeconomics.

In accordance with Section 106 of the NHPA, GSA is conducting formal consultation with the Minnesota State Historic Preservation Office (MNSHPO) and consulting parties. GSA conducted a historic architectural survey in June 2023; a Phase I marine remote survey in October 2023; and a terrestrial archaeological survey in October 2023. Correspondence with MNSHPO is summarized in detail in Section 6.4 of the Final SEIS; tribal consultation as part of Section 106 of the NHPA is summarized in Section 6.5 of the Final SEIS. MNSHPO provided a letter to GSA dated April 12, 2024 after publication

of the Final SEIS had been initiated, stating they "concur with your agency's finding that the undertaking, as it is currently proposed, will have no adverse effect on historic properties provided that archaeological monitoring is conducted during construction under the framework of a monitoring and discovery plan." GSA is in the process of preparing a monitoring and discovery plan and will submit the plan to MNSHPO and consulting parties, to include tribes consulted with previously, for review and concurrence.

In a February 14, 2024 letter, MNSHPO concurred with GSA's recommendation in the Phase I marine remote survey report that, due to the constraints of the remote sensing survey from natural obstructions, archaeological monitoring along the shoreline during ground- or bottom-disturbing activities associated with the undertaking is appropriate. GSA will include provisions for the maritime monitoring in the forthcoming monitoring and discovery plan.

GSA will implement the monitoring and discovery plan prior to construction and if, during construction, archaeological resources are identified, GSA will coordinate with the MNSHPO and consulting parties to mitigate any potential adverse effects under NHPA, which would reduce impacts to less-than-significant under NEPA for Alternative 1. GSA intends on implementing and complying with all mitigation measures resulting from Section 106 consultation, as discussed below in *Avoidance, Minimization and Mitigation Measures*. Consultation letters with the MNSHPO are provided in Appendix B of the Final SEIS.

In accordance with Section 7 of the Endangered Species Act, GSA completed the Minnesota-Wisconsin Federal Endangered Species Determination in May 2023 and concluded that the Proposed Action would either have no effect or is not likely to adversely affect federally protected species. As such, no adverse impacts on special status species are expected under Alternative 1, with implementation of impact avoidance measures as discussed below in *Avoidance, Minimization and Mitigation Measures*. Documentation of the determination key submittal is provided in Appendix B of the Final SEIS.

Under Alternative 1, the proposed expansion area includes approximately 2.1 acres of designated 1-percent-annual-chance floodplain and 1.6 acres of 0.2-percent-annual-chance floodplains along the Rainy River and First Creek. Final design of the International Falls LPOE will incorporate standard measures, including those specified in GSA's *P100 Facilities Standards for the Public Buildings Service (October 2021)* guidelines to reduce or manage stormwater flows as well as impacts to floodplains and from flooding on the proposed facility's buildings. GSA will consult with the U.S. Army Corps of Engineers (USACE), Minnesota Department of Natural Resources (MNDNR), Minnesota Pollution Control Agency (MPCA), Koochiching County, the City of International Falls, and other authorities that may have jurisdiction of the Rainy River and/or First Creek (e.g., International Rainy-Lake of the Woods Watershed Board). In compliance with Executive Order 11988 (*Floodplain Management*), GSA prepared a floodplain assessment, which includes a Finding of No Practicable Alternative for construction within designated floodplains. The floodplain assessment was provided for public review and is included in Appendix C of the Final SEIS.

This ROD incorporates by reference Table S-2 and Chapters 3 and 4 of the Final SEIS for further details on the environmental consequences for Alternative 1.

Avoidance, Minimization and Mitigation Measures

Under Alternative 1, GSA commits to the avoidance, minimization, and mitigation measures as identified in Section 2.4 and Chapter 3 of the Final SEIS and as outlined below for each area (* denotes the project construction specification will include the requirement of the contractor). The 2012 ROD established a Mitigation, Monitoring, or Enforcement Program (MMEP) that identified all practicable means of avoiding or minimizing adverse environmental impacts from the 2011 preferred alternative. These mitigation measures were considered and incorporated into the Final SEIS as applicable. By policy, GSA has the responsibility to leverage its federal real estate actions in ways that support local community planning goals, catalyze economic development, and advance regional sustainability objectives while also meeting client agency needs, wherever possible. This derives from several laws and Executive Orders.

These requirements are in addition to and have been coordinated with the local consultation required under NEPA.

It should be noted that this section is not fully exhaustive of the impact reduction measures GSA will implement as GSA will continue to consider other measures throughout the design process and with continued coordination with applicable agencies and impacted stakeholders.

Geology, Topography, and Soils

- GSA will obtain a Construction Stormwater General Permit from MPCA prior to construction, which specifies measures for stabilizing soils and minimizing soil loss during construction. Compliance with the terms of this permit will limit impacts from soil erosion during construction. Such measures will include setting up barriers and utilizing standard Best Management Practices (BMPs) (e.g., earth walls, soil nails, riprap, turbidity barriers, etc.) to reduce impacts to soils or from soil erosion. Further measures to reduce construction impacts on geology and soil-related concerns, such as soil erosion, loss, and stability, will be addressed in the project design plans.

Water Resources

- GSA will conduct a wetland delineation within the project area during project design and finalization of site layout prior to any construction activities to support the Section 404 permitting process with USACE, 401 Certification process with MPCA, and Public Works Water permit from MNDNR if work is required in or near waterbodies. GSA will adopt all permit requirements measures as applicable.
- GSA will obtain a USACE Section 10 permit if construction of structures occurs along/within the Rainy River.
- GSA will construct the proposed facilities in accordance with GSA's P100 standards or the American Society of Civil Engineers ASCE-24 standard (*Flood Resistant Design and Construction*), as appropriate.
- Development of the LPOE will adhere to GSA's P100 guidance on managing stormwater which specifies that final design of the LPOE would be required to manage the 95th percentile rainfall event, as well as prioritize infiltration and green infrastructure strategies through the civil and landscape design.
- GSA requires that new construction and substantial renovation of its facilities obtain a Leadership in Energy and Environmental Design (LEED) Gold certification. The LEED certification for the project is based on an accumulation of several scored green building features that include objectives for reducing adverse impacts to water quality and minimizing risks from flooding hazards. In addition, GSA requires a minimum Sustainable Sites Initiative (SITES) silver rating:
    - SITES credit 3.1, "Manage Precipitation On Site" to reduce adverse impacts to aquatic resources, channel morphology, and dry weather base flow by replicating natural hydrologic conditions and retaining precipitation onsite.
    - SITES credit 3.3, "Manage Precipitation Beyond Baseline" with the goal to capture and manage the equivalent of the 95th percentile precipitation event.
- GSA will follow the impact reduction measures and BMPs outlined within the Minnesota Construction Stormwater General Permit (CSGP) (included in the stormwater pollution prevention plan [SWPPP]).
- GSA will consider additional BMPs listed in the *Minnesota Stormwater Manual* and MNDNR's *Best Practices for Meeting DNR General Public Waters Work Permit GP2004-0001*. This will include potential BMPs, such as infiltration or filtration, to reduce suspended solids, phosphorus,

and salts. Additional methods for reducing phosphorus could include evaluating land application products for phosphorus content and limiting the use of these products.

- GSA will coordinate with Minnesota Department of Transportation (MnDOT) for any potential improvements SR-11 including any associated improvements to the existing First Creek culvert on SR-11 and will consider MnDOT's *Drainage Manual* for final design of a new culvert. Should a crossing of First Creek be necessary, GSA will install an oversized bottomless arch bridge or three-sided culvert to limit or avoid impacts below the ordinary high water mark (OHWM).
- GSA will work closely with MnDOT and/or other local and state agencies to determine maintenance requirements for the removal of snow and address the reduction of potential pollutants, including salts, in its final stormwater system.
- A bored geothermal heat exchanger (BGHE) Construction Permit will be required from the Minnesota Department of Health (MDH) for any BGHE system.
- As stated in the 2012 ROD, GSA will also commit to:
    - Developing in compliance with Section 438 of the Energy Independence and Security Act of 2007, with the objective of restoring the hydrology to predevelopment conditions;
    - Considering green infrastructure and low impact development practices, such as reducing impervious surfaces, using vegetated swales and revegetation, protection and restoration of the riparian shoreline of Rainy River, and using porous pavements;
    - Developing a Spill Prevention, Control, and Countermeasure (SPCC) plan; and
    - Further analyzing opportunities to protect and restore the natural shoreline of the Rainy River during the final design of the project.
- GSA will coordinate with USACE, MNDNR, MPCA, Koochiching County, the City of International Falls, and other authorities that may have jurisdiction of the Rainy River and/or First Creek (e.g., International Rainy-Lake of the Woods Watershed Board) to continue to determine regulations and permitting requirements. This includes for potential construction work in the Rainy River and First Creek. GSA will also coordinate with the City of International Falls regarding development standards for a Shoreland Overlay District as provided in the city's zoning ordinance and any additional permits required for potential impacts to wetlands and floodplains.
- GSA will coordinate with PCA and OfficeMax regarding shut-down and re-connection procedures of the leachate line and will also implement erosion and sediment control measures along the pipeline route as outlined in the SWPPP and any other required permit conditions to minimize adverse impacts to water quality.

Biological Resources

- Only approved, native species will be used for revegetation. When possible, pollinator-friendly plant species will be used. These plant species will not be invasive or noxious species, and disturbed areas will be promptly restored or revegetated to the extent practicable following construction.
- Construction equipment will be washed before and after coming to the site to the extent practicable to limit the transport of invasive species. If non-native invasive species are present in the project area, these plants will be eradicated and removed from the site before earthmoving activities begin.
- If construction activities occur within the chimney swift nesting period (March 15 – August 25), existing structures will be inspected for nests prior to demolition. Any further requirements will

be determined in coordination with applicable state and federal resource agencies pending survey results.

- GSA will conduct a survey for milkweed plants (habitat for federal candidate species monarch butterfly). If milkweed plants are observed within the proposed expansion area, they will be avoided to the extent practicable in order to reduce potential impacts to the federal candidate monarch butterfly.
- If avoidance is not practicable, milkweed plants will be transplanted outside of the proposed project area. When transplanting milkweed plants, care will be taken to retain as much of the tap root as possible. Digging 4 inches away from each side of the plant would help avoid cutting the tap root. Transplanting in early spring or in late summer/late fall may also increase success.
- Turbidity curtains and appropriate engineering controls will be used as needed to reduce potential noise impacts to aquatic wildlife species within the Rainy River. Engineering controls may include the use of vibratory hammers instead of impact hammering and use of "bubble curtains" to attenuate noise.*
- Landscaping will consider Minnesota's insect pollinators by:
    - Planting a variety of native flowers that bloom in the spring, summer, and fall;
    - Providing nesting sites by allowing dead branches, stems, and logs to remain and leaving bare earth for ground-nesting insects;
    - Reducing the use of pesticides; and
    - Allowing native flowering plants to grow along roadsides and drainage ditches.
- Species-specific measures that will be implemented to reduce or avoid potential impacts to the federally endangered northern long-eared bat and the federally proposed endangered tricolored bat include:
    - No tree removal will occur within 0.25 mile of a known occupied hibernaculum.
    - No tree removal will occur within 150 feet of a known occupied maternity roost tree during the pup season (June 1 to July 31).
    - Pre-construction presence/absence surveys will be completed if there is a need to remove potentially suitable habitat within the project area during the pup season (June 1 to July 31). If required, surveys will be conducted pursuant to local USFWS field office and state resource agency requirements and the need for any additional tree clearing restrictions, if any, will be determined in coordination with applicable state and federal resource agencies pending survey results.
- Pre-construction presence/absence surveys for bald eagles will be completed to determine if there is a need to remove potentially suitable habitat within the proposed project area. Bald eagle surveys will be conducted pursuant to local USFWS field office and state resource agency requirements. The need for any restrictions around tree clearing, if any, will be determined in coordination with applicable state and federal resource agencies pending survey results. If the project is determined to have potential to disturb or kill eagles, a permit under the Bald and Golden Eagle Protection Act will be obtained.

Air Quality and Climate Change

- Precautions to prevent particulate matter from becoming airborne will include*:
    - Using water for dust control when grading roads or clearing land.

  - Stabilize open storage piles and disturbed areas by covering and/or applying water or organic dust palliative where appropriate. This applies to both active and inactive sites during workdays, weekends, holidays, and windy conditions.
  - Paving roadways and maintaining them in a clean condition.
  - Covering open equipment when conveying or transporting material likely to create objectionable air pollution when airborne.
  - Promptly removing spilled or tracked dirt or other materials from paved streets.
  - Installing wind fencing and phasing grading operations where appropriate
  - Operating water trucks for stabilization of surfaces under windy conditions.
  - When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

- The following source-specific controls will be implemented to minimize emissions during construction activities*:
  - Reduce unnecessary idling from heavy equipment.
  - Prohibit engine tampering to increase horsepower, except when meeting manufacturer's recommendations.
  - To the extent practicable, lease or buy newer, cleaner equipment using the best available emissions control technologies.
  - To the extent practicable, use lower-emitting engines and fuels, including electric, liquified gas, hydrogen fuel cells, and/or alternative diesel formulations, if feasible.
  - To the extent practicable, on-highway vehicles will meet, or exceed, the U.S. Environmental Protection Agency (USEPA) exhaust emissions standards for model year 2010 and newer heavy-duty on-highway compression-ignition engines (e.g., drayage trucks, long haul trucks, refuse haulers, shuttle buses, etc.).
  - To the extent practicable, nonroad vehicles and equipment will meet, or exceed, the USEPA Tier 4 exhaust emissions standards for heavy-duty nonroad compression-ignition engines (e.g., nonroad trucks, construction equipment, cargo handlers, etc.).
- The following administrative controls will be implemented during construction*:
  - Coordinate with appropriate air quality agencies to identify a construction schedule that minimizes cumulative impacts from other planned projects in the region, if feasible.
  - Locate diesel engines, motors, and equipment staging areas as far as possible from residential areas and other sensitive receptors (e.g., schools, daycare centers, hospitals, senior centers, etc.).
  - Avoid routing truck traffic near sensitive land uses to the fullest extent feasible.
  - Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking.
  - Reduce construction-related trips of workers and equipment, including trucks.
  - Develop a construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.

  - GSA will also consider implementing measures to minimize idling emissions from cars waiting to cross the border, such as anti-idling policies.

- GSA will take the following additional steps to minimize greenhouse gas (GHG) emissions:
  - Design the LPOE to be energy efficient, including achieving a minimum of LEED Gold certification, which will reduce energy use, include energy conservation and efficiency measures, and reduce the associated GHG emissions.
  - Implement on-site renewable energy generation including solar PV, solar collectors, and geothermal.
  - Use cement blended with the maximum feasible amount of fly ash or other materials that reduce GHG emissions from cement production.
  - Recycle construction debris to the maximum extent feasible.*
- GSA will incorporate the following measures to minimize the impacts of climate change on human health and safety:
  - Incorporate shaded areas wherever practicable, particularly along pedestrian routes through the LPOE.
  - Provide indoor cooling stations or waiting areas where pedestrians passing through the LPOE can seek relief from heat and other adverse conditions such as poor air quality.*
  - Implement design strategies to reduce urban heat islands, including using lighter-colored pavement where feasible, planting trees, and maintaining green spaces with native vegetation.

Noise

- Implementation of noise control measures, such as project scheduling, noise barriers, and using noise controls on equipment (e.g., mufflers).*
- Conducting construction activities within hours that are in accordance with local noise regulations and per discussions with adjacent landowners.*
- GSA will coordinate with the City of International Falls if nighttime construction is required, and consider recommendations set forth by the local planning conditions should any activity be considered a “conditional” use.

Traffic and Transportation

- Minimize construction truck movement during peak traffic hours.*
- Place construction staging areas where they would least interfere with local traffic and parking.*
- Minimize impacts to pedestrians during construction activities by providing appropriate information and signage to pedestrians and motorists who are traveling throughout the area.*
- Develop a construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow and safety.*
- Develop and implement Transportation Demand Management strategies to reduce single occupancy vehicles (e.g., encourage carpooling).*
- Prior to construction, GSA will coordinate with the City of International Falls, Koochiching County, and MnDOT on traffic studies that might be required to support planning of any improvements and/or changes in traffic control on SR-11.

- GSA will coordinate with MnDOT, the City of International Falls, and other impacted stakeholders throughout the design process regarding necessary redesignation of roadways, including US-53.
- GSA will coordinate with utility providers, MD&W Railway, and PCA on construction phasing to minimize the risk of safety hazards and to prevent operational disruptions. Additionally, GSA will coordinate with Koochiching County, the International Falls Public Works office, and MnDOT prior to construction work near the International Bridge and SR-11.
- GSA will coordinate closely with the proposed Rainy Lake Medical Center to minimize impacts by managing traffic mobility on SR-11 during construction and operation.
- GSA will coordinate with MnDOT regarding the following: ensuring appropriate rights of way are provided through the LPOE in each direction; car parking and stacking; configuration of railroad crossings and conflict points; pavement design; construction quality specifications; and construction of underground facilities. GSA will also coordinate closely with the City of International Falls, Koochiching County, Aazhogan Limited Partnership (Aazhogan), PCA, and other impacted stakeholders throughout the design process regarding these topics of concern, as applicable.
- Where appropriate, proper signage will be placed and construction flaggers may be used to direct traffic and to alert drivers to reduce adverse impacts to the public and construction workers.
- GSA will install signage and provide visibly marked crosswalks at the proposed LPOE vehicle access point and PCA truck crossings to alert motorists of bicycle and pedestrian activity on Rainy Lake Bike Trail.
- GSA will coordinate with local, county, and state transportation authorities when planning access to the International Falls LPOE site.
- GSA will follow all local, state, and federal planning guidelines and regulations when maintaining or upgrading roadway infrastructure.

Land Use and Visual Resources

- GSA will consider local zoning laws for construction and operation of the proposed LPOE and all design requirements of state and local governments to the extent practicable. This will include both the incorporation of exterior design elements to reflect the unique character of the area and the emphasis on pedestrian circulation and amenities, such as landscaped plazas and walkways, to the extent practicable and consistent with GSA design standards.
- To ensure minimal conflicts with land use, GSA will continue coordination efforts during the design process with city and county governments, MnDOT, and other relevant stakeholders including PCA, MD&W Railway, Aazhogan, CentraGas and other utility providers.
- GSA will coordinate closely with PCA throughout the design and construction process to minimize or avoid disruption to the PCA mill operations.
- GSA will consult with local officials, consider local requirements for new building construction, and comply with state and local building codes to the maximum extent practicable.
- GSA will integrate its programs of design/architecture and construction excellence into the new facility in order to optimize building performance and aesthetics, including adherence to GSA's P100 standards which establishes design criteria and standards for new government buildings.
- GSA will incorporate landscaping and screening (trees and vegetation) into the exterior design to provide aesthetic benefits to the surrounding community, consistent with GSA's Urban Development/Good Neighbor Program.

- GSA will design exterior lighting to meet physical security requirements but controlled to minimize light trespass (e.g., direct light downward and minimize glare). Fixtures for the security fence will be a similar style.
- GSA will adhere to the International Dark Sky *Model Lighting Ordinance* and Illuminating Engineering Society recommendations that outline the recommended backlight, uplight, and glare (BUG) ratings for the specific lighting zone within the project area. Specifically, GSA will require that exterior luminaires be full cutoff and utilize G2, U0 ratings as specified by the Illuminating Engineering Society, and be consistent with guidelines specified for those ratings. GSA will also consider warmer (i.e., cooler color temperature 3500 Kelvin) and amber sources around the perimeter of the site, in order to address concerns with nighttime disturbances, including to wildlife. Transitions between areas of high illumination to low illumination areas on the site will be considered in gradual stages. Large contrasts in transition between high to low lighting levels on the site will be avoided with the ability to bi-level dim certain zones throughout the night.
- Current lighting design will be consistent with National Park Service sustainable lighting principles, which are as follows:
    - Ensure the lighting is necessary;
    - Light only where and when needed;
    - Use recessed and fully shielded fixtures;
    - Use the minimum light level necessary;
    - Use light emitting diode lighting in warm colors; and
    - Minimize nighttime construction and lighting.
- GSA and CBP will coordinate closely with the Rainy Lake Medical Center to manage concerns with location and operation of the helicopter pad.

Infrastructure and Utilities

- GSA will coordinate with PCA to conduct activities, such as shifting operations from the current to the new chip line booster building and moving electrical lines from current to new poles, during shutdown periods to limit impacts to PCA operations. Site preparation will be coordinated as needed with PCA, MD&W Railway, and utility providers to minimize disruption to operations to the extent practicable.
- New parking and road networks will use low-embodied carbon concrete and environmentally preferable asphalt.
- GSA will coordinate winter maintenance requirements with Aazhogan, the City of International Falls, and MnDOT, including potential development of a joint agreement to specify maintenance requirements within the LPOE boundary.

Socioeconomics

- GSA intends to coordinate with Koochiching County Public Works during site planning to accommodate snow storage associated with maintenance for the Rainy Lake Bike Trail along SR-11.
- GSA will coordinate with local governments to ensure appropriate signage is installed that directs travelers to the downtown area to address concerns with relocation of the LPOE vehicle access point away from downtown.

Cultural Resources

- A monitoring and discovery plan, as approved by the MNSHPO and in coordination with consulting parties, will be in place prior to construction and if, during construction, archaeological resources are identified, GSA will coordinate with the MNSHPO, consulting parties, and appropriate Tribal Historic Preservation Officers (THPOs) to mitigate any potential adverse effects under NHPA, which will reduce impacts to less-than-significant under NEPA.
- Impact reduction measures, including inadvertent discovery procedures, will be implemented as necessary during maintenance activities.
- GSA will implement and comply with all mitigation measures resulting from Section 106 consultation. Implementation of the project cannot occur until all regulatory processes are complete, including the Section 106 process.

Human Health and Safety

- Prior to demolition, an inspection of the buildings to be demolished will be performed by a licensed asbestos inspector and a "Notification of Intent to Perform a Demolition" form will need to be completed and filed with the MPCA. If any surfaces containing suspected lead-based paint are encountered, sampling will be performed prior to disposal.
- Water will be applied to the ground surface during construction and other soil disturbance activities as a means of dust suppression.
- GSA will require diversion of at least 50 percent of nonhazardous construction and demolition waste from the landfill per Section 207 of Executive Order 14057 (*Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability*). GSA will develop a Construction and Demolition Waste Management Plan to manage waste diversion efforts.
- All spills or releases of petroleum, oils, and lubricants; hazardous materials; pollutants; or contaminants will be handled in accordance with measures outlined in a Spill Prevention and Response Plan prepared for construction.
- GSA will develop an SPCC plan during final design for operations of the facility, assuming the facility meets the requirements to prepare a plan per 40 CFR 112.
- A Soil Management Plan will be prepared to address the potential for encountering areas of environmental concern (e.g., contaminated soil) during grading, excavation, or other subsurface disturbance. The Soil Management Plan will identify specific measures to address hazardous waste and materials cleanup efforts, including monitoring, handling, stockpiling, characterization, on-site reuse, export, and disposal protocols for excavated soil.
- All personnel will follow federal regulations and standard handling procedures as specified in product Safety Data Sheets for hazardous materials.
- All potentially hazardous wastes generated will be properly characterized, segregated, and managed onsite prior to offsite disposal.
- If polychlorinated biphenyl-containing materials are identified onsite, appropriate abatement actions for their disposal will be implemented in accordance with regulatory requirements, and soils beneath transformers will be evaluated for evidence of releases. If present in underlying soils, appropriate actions for removal and disposal will be implemented in accordance with applicable regulatory requirements.
- Any existing municipal (household) trash, construction debris, and other waste materials will be removed from all project areas and disposed of in accordance with applicable regulations.

- Potentially hazardous wastes generated during project-related construction activities will be disposed of or recycled at appropriate facilities in accordance with associated regulatory requirements.
- Construction workers will adhere to safety standards promulgated in 29 CFR 17 to protect against workplace hazards. To minimize potential exposure or safety concerns to workers, appropriate personal protective equipment will be worn.
- Signs, barriers, and traffic cones will be installed to direct vehicles and non-construction personnel away from the construction area.*
- GSA will coordinate closely with PCA and OfficeMax throughout design and construction regarding any future site work related to relocation of the leachate line.
- GSA will conduct additional sampling to investigate potential soil and groundwater contamination on the proposed expansion area.
- Based on the sampling results, GSA will handle and dispose of all soils and/or groundwater generated in accordance with local, state, and federal regulations, as applicable. If any additional areas of contaminated soil are present, appropriate abatement, management, or disposal actions will be implemented in accordance with applicable regulatory requirements to prevent, minimize, and control hazardous materials, if necessary, during construction. If necessary, permanent monitoring wells will be installed in accordance with MPCA guidelines and will be periodically sampled, as needed, to monitor any contamination, if present.

Environmental Justice and Protection of Children's Health and Safety

- Construction contractors will be required to submit work plans which detail impact reduction measures to be followed during construction. GSA will distribute this information to the local community as appropriate.*
- The contractor will develop a plan to ensure access to and throughout the site is provided during construction, including any necessary Americans with Disabilities Act (ADA) accessibility areas. Because the LPOE will remain open during construction, full access for all people (visitors and workers, including disabled populations) will be maintained. Buildings, parking areas, sidewalks, and other facilities will also be designed and constructed in compliance with ADA requirements to ensure full access to all visitors and workers.

Cumulative Impacts

- If plans for bridge construction move forward, GSA will coordinate with appropriate stakeholders as necessary, including local, state, federal, and provincial governments, as well as the bridge owner.

Additional Measures Identified per USEPA Comment Letters on the Draft and FInal SEIS

(*Note, the USEPA's comment letter is provided in Appendix A of the Final SEIS.*)

- GSA will construct proposed roads, parking lots, sidewalks, or other surfaces slated for driving or walking with permeable pavement or porous pavers to reduce runoff.*
- GSA will incorporate green stormwater management practices into final design, and will consider green roofs, bioswales, and rain gardens.
- GSA will ensure areas around all new buildings associated with the project that are not planned for operations be considered for conversion to native habitats, increasing the area that can be

beneficially used for wildlife, stormwater infiltration or detention, and aesthetics, among other functions.*

- GSA will incorporate electric vehicle charging stations in new parking areas and designate priority parking spots for carpools and low emission vehicles.
- GSA will use recycled materials to replace carbon-intensive Portland Cement in concrete as "supplementary cementitious material."
- GSA will use tire-derived aggregate in lightweight embankment fill and retaining wall backfill.
- GSA will use recycled materials in pavement applications, such as crushed recycled concrete, recycled asphalt pavement, and rubberized asphalt concrete. Also, in some circumstances, demolished onsite asphalt can be reused (e.g., cold in-place recycling or full depth reclamation).

Mitigation Monitoring and Enforcement Program

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

DECISION

As (Acting) Regional Commissioner of GSA Region 5, Public Buildings Service, it is my decision to approve the preferred alternative, Alternative 1 – Full Build, pending finalization of consultation with the MNSHPO and consulting parties as required under Section 106 of the NHPA.

The Final SEIS identified a preferred alternative, Alternative 1 (Full Build). The Final SEIS was made publically available from April 19, 2024 through May 20, 2024. Three Comments were received and are addressed in Appendix A to this ROD.

ENVIRONMENTALLY PREFERABLE ALTERNATIVE

The environmentally preferable alternative is the alternative that best promotes the national environmental policy expressed within NEPA. In general, this refers to the alternative that will result in the least damage to the environment and best protects natural and cultural resources. As stated in the 2012 ROD, GSA determined that the 2011 preferred alternative was the environmentally preferable alternative. Alternative 1 considered in the Final SEIS is structured such that the overall organization of the functions and circulation of the proposed LPOE would remain similar to the 2011 preferred alternative. The proposed expansion area considered under the 2011 preferred alternative is generally the same expansion area analyzed under Alternative 1 in the Final SEIS. Further, while Alternative 1 would result in greater short-term adverse impacts to natural resources compared to the No Action Alternative, there would be greater long-term benefits from implementation of Alternative 1. Implementation of current design features and impact reduction measures with respect to stormwater management are expected to have a net beneficial impact on the stormwater management in the project area. In addition, there will be beneficial impacts from improved traffic circulation, which would result in improved air quality. Implementation of the Proposed Action would also require site remediation of the project area, which would represent a net beneficial impact on soils, groundwater, and surrounding wildlife. As such, Alternative 1 as analyzed in the Final SEIS remains the environmentally preferable alternative.

RATIONALE FOR IMPLEMENTING THE PREFERRED ALTERNATIVE

The following economic, technical, and GSA mission considerations were weighed in reaching my decision – the preferred alternative, Alternative 1 (Full Build) of the Final SEIS, will support the mission of the CBP and other tenant agencies, while addressing existing deficiencies identified with ongoing port operations. Generally, the existing LPOE facilities and configuration do not meet CBP's current needs and do not allow for expeditious and safe inspection of the traveling public; deficiencies as identified in the 2011 Final EIS remain at the LPOE, including:

- Deficiencies in the main building;
- Deficiencies in site circulation and layout;
- Deficiencies in processing of inbound commercial and noncommercial vehicles;
- Deficiencies in processing outbound vehicular and pedestrian traffic;
- Lack of parking spaces;
- Lack of designated delivery area;
- Deficiencies in exterior lighting; and
- Deficiencies in security infrastructure.

I have determined that Alternative 1 would best support CBP's mission by bringing the International Falls LPOE operations in line with CBP's land port design standards and operational requirements, while addressing these existing deficiencies. My decision to approve Alternative 1 is based on a balancing of likely adverse impacts to the City of International Falls, Koochiching County, and surrounding residents as considered in the Final SEIS with the need to improve the operational efficiency, effectiveness, security, and safety for the CBP staff and cross-border travelers at the International Falls LPOE. This decision likewise takes into account resource concerns, mission and program of CBP and public interests as analyzed in the Final SEIS. I have reached this decision after careful consideration of the environmental analysis of the effects of Alternative 1 and the No Action Alternative, in concert with the needs of the federal government and with input from the City of International Falls and other public stakeholders.

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

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

Record of Decision Approval:

Signature: DocuSigned by: Robert Green FD6EDCEA103E41A... Date: 5/30/2024

Robert Green
(Acting) Regional Commissioner
Great Lakes Region
Public Buildings Service
U.S. General Services Administration

Appendix A. Comments and Responses on the Final SEIS for the International Falls Land Port of Entry Modernization and Expansion Project International Falls, Minnesota

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Table A-1. Comments-Responses on the Final SEIS

ID: 1	**Name:** Leonard Wabasha **Affiliation:** Shakopee Mdewakanton Sioux Community	**Date Comment Submitted:** April 25, 2024
1-1	Thank you for the opportunity to consult with you regarding the Land Port of Entry proposed project. The Shakopee Mdewakanton Sioux Community chooses currently to leave direct consultation to the closer local area Tribes of the International Falls area.	Thank you for your comment.
ID: 2	**Name:** Jennifer Tworzyanski **Affiliation:** Office of the State Archaeologist	**Date Comment Submitted:** May 13, 2024
2-1	Thank you for the opportunity to review and comment on the Final Supplemental Environmental Impact Statement (FSEIS) and Floodplain Assessment and Statement of Findings for the International Falls Land Port of Entry (LPOE) project. The Minnesota Office of the State Archaeologist reviewed the maritime archaeological report as well as the terrestrial archaeological report referenced in the FSEIS and found the work insufficient. The historical context of the project area was not well developed and therefore insufficient to fully interpret the project area. For example, as noted in the correspondence from the MNSHPO in the FSEIS, the shovel tests were not excavated to an appropriate depth to interpret any historical fill episodes (which may represent an historical period feature and not site disturbance), and the nature of the compaction noted as a reason for shovel test termination were not explained. As another example, the maritime report states the abundance of logs in the river made it hard to clearly interpret the sonar returns. However, those logs, if examined in the greater historical context, may represent an historical feature affiliated with the terrestrial segment of the area of potential effect. Therefore, the OSA recommends a revised context including primary and secondary sources relating to both the site and the regional lumber industry (including Canada). This research should also look at other terrestrial and maritime sites and features associated with archaeological lumbering and milling sites. Based on the revised context, further fieldwork should be conducted to determine if the disturbances and intrusions noted in the reports are the remains of the historical period mill and its associated infrastructure and activities, and if so, if it represents a significant archaeological site.	Thank you for your comment. GSA is continuing consultation with the MNSHPO under its obligations under Section 106 of the National Historic Preservation Act. Per the request of the MNSHPO in an April 12, 2024 letter, GSA is developing an archaeological monitoring plan that will include provisions for both terrestrial and maritime monitoring during construction. GSA intends on preparing this plan in coordination with all consulting parties, including the Office of the State Archaeologist. Development and implementation of this plan has been committed to in this ROD. GSA also intends on completing its obligations under Section 106 of the National Historic Preservation Act in coordination with the MNSHPO prior to implementation of the Proposed Action.
2-2	Please note, archaeological site information is classified as private and nonpublic security information under Minnesota Statute 13.37, therefore the Office of the State Archaeologist requests pages 416, 430, and 452 of the publicly available FSEIS document be redacted or removed.	Thank you for your comment. The specified pages in the publicly available Final SEIS on GSA and USEPA's websites have been redacted.

ID: 3	**Name:** Krystle Z. McClain, P.E., NEPA Program Supervisor **Affiliation:** USEPA Region 5	**Date Comment Submitted:** May 16, 2024
3-1	EPA commends GSA's identification of the Preferred Alternative as the environmentally preferable alternative as per CEQ updates. Additionally, EPA appreciates the thoughtful layout of the FSEIS, which noted that substantive changes made to the DSEIS were reflected in the FSEIS with bold text and an "edit" bar in the left margin; this made document review very straightforward. EPA recommends that GSA commit to the following practices before finalizing the ROD, including: ● Identifying and installing green infrastructure and low impact development practices identified on pages 2-8 of the FSEIS; ● Utilizing permeable pavements and pavers to the extent practicable; and ● Incorporating electric vehicle charging stations in new parking areas and designating priority parking spots for carpools and low emission vehicles. EPA commends GSA for incorporating recommendations from our December 8, 2023, DSEIS comment letter, including: ● Committing to limit or avoid impacts below the Ordinary High Water Mark of First Creek by installing an oversized bottomless arch bridge or three-sided culvert for any new or modified stream crossings that may be necessary for project implementation; ● Committing to achieve Leadership in Energy and Environmental Design (LEED) certification at the highest feasible level within reasonable cost, with Gold level standards at a minimum; ● Committing to undertaking a wetland delineation for the entire project footprint, obtaining required federal Clean Water Act and state permits, and adopting all permit requirements; ● Creating a new section for Mitigation Commitments in the FSEIS (Section 2.4) that summarizes impact reduction measures that GSA intends to commit to, or comply with, as part of the Proposed Action; ● Committing to revegetating with only approved, native species, with pollinator-friendly plant species prioritized; and ● Creating a summary in the FSEIS of comments received during the Draft SEIS public review period, including reproduction of the original comment letter, numeric sequencing of specific comments, and corresponding responses to those comments. Again, EPA applauds GSA for incorporating project recommendations and modifications received from EPA and other Federal and state	Thank you for your comment. GSA has committed to the three requested measures in this ROD. We appreciate USEPA's constructive and informative input on this project.

	agencies during the project's scoping and the DSEIS comment periods. Project modifications and commitments made during the NEPA process have resulted in a project with fewer environmental impacts that still meets the needs of GSA and CBP. GSA's NEPA process for the International Falls LPOE is an excellent example of how the NEPA process works to make environmentally informed decisions that result in reduced environmental impacts.	

GSA = General Services Administration; MNSHPO = Minnesota State Historic Preservation Officer; ROD = Record of Decision; SEIS = Supplemental Environmental Impact Statement; USEPA = United States Environmental Protection Agency

APPENDIX B. COMMENT LETTERS

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ID 1: Leonard Wabasha (Shakopee Mdewakanton Sioux Community)

On Thu, Apr 25, 2024 at 2:32 PM Leonard Wabasha (TO) <leonard.wabasha@shakopeedakota.org> wrote:

> Dear Michael
>
> Thank you for the opportunity to consult with you regarding the Land Port of Entry proposed project. The Shakopee Mdewakanton Sioux Community chooses currently to leave direct consultation to the closer local area Tribes of the International Falls area.. Thank you again and Have a Great Day!
>
> **LEONARD WABASHA**
>
> Director of Cultural Resources • Cultural Resources
>
> Shakopee Mdewakanton Sioux Community
>
> d: 952.496.6120
>
> shakopeedakota.org
>
> Leonard.Wabasha@shakopeedakota.org

ID 2: Krystle McClain (USEPA Region 5)

REGION 5
CHICAGO, IL 60604

May 16, 2024

VIA ELECTRONIC MAIL ONLY

Michael Gonczar
U.S. General Services Administration, Region 5
230 S. Dearborn Street, Suite 3600
Chicago, Illinois 60604

Re: EPA Comments - Final Supplemental Environmental Impact Statement: International Falls Land Port of Entry; International Falls, Koochiching County, Minnesota (CEQ #20240066)

Dear Mr. Gonczar:

The U.S. Environmental Protection Agency (EPA) has reviewed the Final Supplemental Environmental Impact Statement (FSEIS) prepared for the International Falls Land Port of Entry (LPOE) project in International Falls, Minnesota. The General Service Administration (GSA) is the lead Federal agency under the National Environmental Policy Act (NEPA). This letter provides EPA's comments on the FSEIS pursuant to NEPA, the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The existing International Falls LPOE, located in International Falls, Minnesota on the south bank of the Rainy River, is owned and managed by GSA and is operated by the U.S. Department of Homeland Security's Customs and Border Protection (CPB). The LPOE is a port of entry for vehicles and pedestrians crossing the U.S.-Canada border between International Falls and the town of Fort Frances, Ontario, Canada. The LPOE was constructed in 1993 and occupies approximately 1.6 acres. It is surrounded by industrial buildings to the west and south, the International Bridge (Bridge) to the north, the Rainy River to the east, and railways to the east.

GSA's *International Falls Land Port of Entry Improvements Study Final EIS*, released in 2011, assessed the potential environmental impacts associated with the proposed action of replacing the existing 1.6-acre International Falls LPOE with a new LPOE facility. A total of 10 build alternatives were considered, and a Preferred Alternative was identified. The 2011 Preferred Alternative proposed relocating the majority of the LPOE operations to a 20.5-acre site southeast of the existing site between SR-11 (4th Street) and the Rainy River. The Final EIS was followed by GSA's signing of a Record of Decision (ROD) in 2012. The purpose of the Proposed Action was, and continues to be, for GSA to support the mission of CBP and other tenant agencies by bringing the International Falls LPOE operations in line with current land port design standards and operational requirements while addressing existing deficiencies identified with the ongoing port operations.

Since the publication of the 2011 FEIS and 2012 ROD, the space and facility requirements for CBP have changed, resulting in a need for revisions that reflect the GSA's current needs at the LPOE. The 2023 Draft Supplemental EIS (DSEIS) and current FSEIS identified the Preferred Alternative as Alternative 1 (Full Build), which would consist of acquisition of property, demolition of existing LPOE facilities, and construction of the new LPOE facilities, as identified under GSA's 2011 Preferred Alternative in the 2011 Final EIS, but with modifications based on project updates. The FSEIS also stated that the Preferred Alternative was identified as the environmentally preferred alternative.

EPA commends GSA's identification of the Preferred Alternative as the environmentally preferable alternative as per CEQ updates.[1] Additionally, EPA appreciates the thoughtful layout of the FSEIS, which noted that substantive changes made to the DSEIS were reflected in the FSEIS with bold text and an "edit" bar in the left margin; this made document review very straightforward.

EPA recommends that GSA commit to the following practices before finalizing the ROD, including:

- Identifying and installing green infrastructure and low impact development practices identified on pages 2-8 of the FSEIS;
- Utilizing permeable pavements and pavers to the extent practicable; and
- Incorporating electric vehicle charging stations in new parking areas and designating priority parking spots for carpools and low emission vehicles.

EPA commends GSA for incorporating recommendations from our December 8, 2023, DSEIS comment letter, including:

- Committing to limit or avoid impacts below the Ordinary High Water Mark of First Creek by installing an oversized bottomless arch bridge or three-sided culvert for any new or modified stream crossings[2] that may be necessary for project implementation;
- Committing to achieve Leadership in Energy and Environmental Design (LEED) certification at the highest feasible level within reasonable cost, with Gold level standards at a minimum[3];
- Committing to undertaking a wetland delineation for the entire project footprint, obtaining required federal Clean Water Act and state permits, and adopting all permit requirements;
- Creating a new section for Mitigation Commitments in the FSEIS (Section 2.4) that summarizes impact reduction measures that GSA intends to commit to, or comply with, as part of the Proposed Action;
- Committing to revegetating with only approved, native species, with pollinator-friendly plant species prioritized[4]; and
- Creating a summary in the FSEIS of comments received during the Draft SEIS public review

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[1] As noted in 40 CFR 1505.2(b) [Record of decision in cases requiring environmental impact statements], which states that the Record of Decision shall, *"Identify alternatives considered by the agency in reaching its decision. The agency also shall specify the environmentally preferable alternative or alternatives."*

[2] Bridging First Creek and its associated wetlands/floodplain was a mitigation commitment from the 2012 ROD.

[3] GSA also requires a minimum Sustainable Sites Initiative (SITES) silver rating. GSA will adhere to CEQ's Guiding Principles for Sustainable Federal Buildings, and will use GSA's 2022 Sustainable Design Checklist for New Construction and Major Modernization Projects to pursue LEED credits, which aligns with CEQ's Guiding Principles for Sustainable Federal Buildings.

[4] EPA appreciates GSA also committing to conduct a survey for milkweed plants, avoid milkweed impacts to reduce potential impacts to the monarch butterfly (which is a candidate for listing as a Federally endangered species), and to transplanting milkweed plants out of the proposed project area if avoidance is not practicable.

period, including reproduction of the original comment letter, numeric sequencing of specific comments, and corresponding responses to those comments.

Again, EPA applauds GSA for incorporating project recommendations and modifications received from EPA and other Federal and state agencies[5] during the project's scoping and the DSEIS comment periods. Project modifications and commitments made during the NEPA process have resulted in a project with fewer environmental impacts that still meets the needs of GSA and CBP. GSA's NEPA process for the International Falls LPOE is an excellent example of how the NEPA process works to make environmentally informed decisions that result in reduced environmental impacts.

Thank you for the opportunity to review and provide comments on this FSEIS. Please send a copy of the published Record of Decision to R5NEPA@epa.gov. If you have any questions about this letter or wish to discuss our comments further, please contact the lead NEPA Reviewer, Liz Pelloso, at 312-886-7425 or via email at pelloso.liz@epa.gov.

Sincerely,

KRYSTLE MCCLAIN

Digitally signed by KRYSTLE MCCLAIN
Date: 2024.05.16 13:11:11 -05'00'

Krystle Z. McClain, P.E.
NEPA Program Supervisor
Tribal and Multimedia Programs Office

[5] Of note is GSA's commitment to adhere to the International Dark Sky Model Lighting Ordinance and to design lighting consistent with National Park Service sustainable lighting principles, in response to comments submitted on the DSEIS by the U.S. Department of Interior regarding the LPOE's potential light pollution impacts to Voyageurs National Park, which was certified as an International Dark Sky Park in 2020.

ID 3: Jennifer Tworzyanski (Minnesota Office of State Archaeologist)

DEPARTMENT OF ADMINISTRATION
STATE ARCHAEOLOGIST

May 13, 2024

Michael Gonczar
U.S. General Services Administration, Region 5
230 S. Dearborn St. Suite 3600
Chicago, IL 60604
michael.gonczar@gsa.gov

RE: International Falls LPOE SEIS

Dear Michael Gonczar,

Thank you for the opportunity to review and comment on the Final Supplemental Environmental Impact Statement (FSEIS) and Floodplain Assessment and Statement of Findings for the International Falls Land Port of Entry (LPOE) project. The Minnesota Office of the State Archaeologist reviewed the maritime archaeological report as well as the terrestrial archaeological report referenced in the FSEIS and found the work insufficient. The historical context of the project area was not well developed and therefore insufficient to fully interpret the project area. For example, as noted in the correspondence from the MNSHPO in the FSEIS, the shovel tests were not excavated to an appropriate depth to interpret any historical fill episodes (which may represent an historical period feature and not site disturbance), and the nature of the compaction noted as a reason for shovel test termination were not explained. As another example, the maritime report states the abundance of logs in the river made it hard to clearly interpret the sonar returns. However, those logs, if examined in the greater historical context, may represent an historical feature affiliated with the terrestrial segment of the area of potential effect. Therefore, the OSA recommends a revised context including primary and secondary sources relating to both the site and the regional lumber industry (including Canada). This research should also look at other terrestrial and maritime sites and features associated with archaeological lumbering and milling sites.

Based on the revised context, further fieldwork should be conducted to determine if the disturbances and intrusions noted in the reports are the remains of the historical period mill and its associated infrastructure and activities, and if so, if it represents a significant archaeological site.

Please note, archaeological site information is classified as private and nonpublic security information under Minnesota Statute 13.37, therefore the Office of the State Archaeologist requests pages 416, 430, and 452 of the publicly available FSEIS document be redacted or removed.

If you have any questions or would like further clarification, please feel free to contact me.

DEPARTMENT OF ADMINISTRATION
STATE ARCHAEOLOGIST

Sincerely,

Jennifer Tworzyanski, Assistant to the State Archaeologist
Office of the State Archaeologist
Kellogg Center
328 W Kellogg Blvd
Saint Paul, MN 55102
651.201.2265
Jennifer.Tworzyanski@state.mn.us