

National Park Service
U.S. Department of the Interior

Padre Island National Seashore
Texas



Replace Law Enforcement Division Headquarters Environmental Assessment/Assessment of Effects

August 2011



Replacement of Law Enforcement Division Headquarters Padre Island National Seashore

Environmental Assessment/Assessment of Effect

Summary

Padre Island National Seashore (National Seashore or Park) proposes to construct a new law enforcement headquarters. The existing law enforcement facility does not have the capacity to adequately accommodate law enforcement staff, equipment, and vehicles and was not designed to meet the specialized needs for law enforcement operations. Because of these deficiencies, the Park Service is seeking to construct a new facility to better meet law enforcement needs for protecting visitors, staff, and Park resources. The new facility would be built at the same location as the existing modular structure currently being used for law enforcement operations in the parking lot adjacent to the Malaquite Visitor Center. The preferred alternative consists of constructing a new two-story 6,600-square-foot law enforcement building, a fenced enclosure for vehicles, and landscape improvements. The facility would consolidate law enforcement staff, equipment, and vehicles in one location to improve operational efficiency. The upper level of the new building would contain a large conference room, ranger offices, evidence processing and storage, an armory, a permitting/clerk office, a remittance office, and other storage and workspace. The lower level would include a prisoner holding cell, sally port, tactical training room (which also would serve as a storm shelter), and secure/enclosed vehicle storage bays for a fire truck and emergency patrol vehicles. The law enforcement headquarters would be designed with many sustainable elements. The exterior site plan includes a fenced area on the east and south sides of the building for secured storage of ranger vehicles, visitor parking on the north side of the building, and removal of parking lot asphalt to create vegetated islands for improved aesthetics and stormwater retention.

This Environmental Assessment/Assessment of Effect (EA/AoE) evaluates two alternatives: a no action alternative and a preferred alternative. Under the no action alternative, a new law enforcement division headquarters would not be built and the National Seashore would continue to use the existing modular structure, as well as facilities and storage located at Park headquarters about 2 miles north. The preferred alternative includes construction of a new law enforcement headquarters to improve the efficiency of law enforcement operations, while protecting Park scenic, natural, and cultural resources.

Public scoping was conducted to assist with the development of this EA/AoE. The Park received three written comments during the January 7, 2011 to February 7, 2011 scoping period. The comments indicated support for the proposed law enforcement building location, as long as sufficient parking remains available at the visitor center and floodplain issues are considered. Internal and external scoping comments were considered in the choice of impact topics and were used in the development and evaluation of alternatives discussed in this EA/AoE.

This EA/AoE has been prepared in compliance with the National Environmental Policy Act (NEPA) to provide the decision-making framework that 1) analyzes a reasonable range of alternatives to meet the objectives of the proposal, 2) evaluates potential issues and potential impacts to the Park's resources and values, and 3) identifies mitigation measures to lessen the degree or extent of these impacts. Resource topics evaluated in detail in this EA/AoE are Park operations, human health and safety, visitor use and experience, visual resources, water resources, floodplains, and wetlands. All other resource topics were dismissed because the project would result in less than

minor effects. No major effects were identified because of this project. This EA/AoE is being used to comply with Section 106 of the National Historic Preservation Act. The Park Service has determined that no historic properties would be affected from construction of the proposed law enforcement facility or changes in the use of structures at Park headquarters previously occupied by law enforcement under Section 106 of the National Historic Preservation Act. The Park Service will send a copy of this EA/AoE to the Texas State Historic Preservation Office. The Park Service sent a letter requesting comment on the proposed project to the Tonkawa Indian Tribe. Information on federally threatened or endangered species protected under the Endangered Species Act was requested from the U.S. Fish and Wildlife Service. A copy of this EA/AoE will be sent to these agencies and entities for review and comment.

Public Comment

If you wish to comment on this EA/AoE, you may post comments online using the NPS Planning, Environment, and Public Comment (PEPC) website at <http://parkplanning.nps.gov> or mail comments to:

Padre Island National Seashore
P.O. Box 181300
Corpus Christi, TX 78480

This EA/AoE will be on public review for 30 days. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. Although you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

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Acronyms and Abbreviations

BMP	Best Management Practice
CEQ	Council on Environmental Quality
Corps	U.S. Army Corps of Engineers
DO	Director's Order
EA/AoE	Environmental Assessment/Assessment of Effect
EIS	Environmental Impact Statement
EO	Executive Order
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impact
GHG	Greenhouse Gas
GMP	General Management Plan
LEED	Leadership in Energy and Environmental Design
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOI	Notice of Intent
NPS	National Park Service
NRHP	National Register of Historic Places
PEPC	Planning, Environment and Public Comment
SWPPP	Stormwater Pollution Prevention Plan
USFWS	U.S. Fish and Wildlife Service

ENVIRONMENTAL ASSESSMENT/ASSESSMENT OF EFFECT REPLACE LAW ENFORCEMENT DIVISION HEADQUARTERS PADRE ISLAND NATIONAL SEASHORE

INTRODUCTION

Padre Island National Seashore (National Seashore or Park) of the National Park Service (NPS) is considering construction of a new law enforcement division headquarters. The facility would be built in the parking lot adjacent to the Malaquite Visitor Center on North Padre Island about 8 miles south of Corpus Christi, Texas (Figure 1). Drug smuggling and illegal immigrant traffic has risen dramatically in the last few years, which has increased concern for the safety and protection of Park visitors, staff, and resources. The Gulf of Mexico coast of the National Seashore fronts 67 miles of international border and comprises about 17 percent of the 377-mile Texas coast. The National Seashore is in the South Texas High Intensity Drug Trafficking Area. The Bureau of Customs and Border Protection has identified Padre Island as one of four primary smuggling corridors through South Texas. Smuggling significantly affects both day-to-day operational activities and the visitor experience. Drug smuggling, illegal immigrants, poaching of endangered turtles and their eggs, and illegal commercial fishing pose a threat to Park resources, visitors, and rangers. The Park Service supports the federal drug control priorities through enforcement efforts along the border where smuggling occurs. Park law enforcement activities at the National Seashore would be managed as an interdisciplinary effort to fulfill NPS responsibilities to protect resources, manage public use, and promote public safety and visitor enjoyment.

The existing 1,920-square-foot law enforcement center is in a modular structure in the visitor center parking lot. This facility does not have the capacity to adequately accommodate law enforcement staff, equipment, and vehicles and was not designed to meet the specialized needs for law enforcement operations. Several vital components of law enforcement operations, such as the armory, secured storage, evidence room, tactical training, and equipment storage, are located at Park headquarters about 2 miles north of the existing law enforcement structure. In light of these concerns and deficiencies with the existing law enforcement facility, this project is needed to conduct Park operations in ways that provide for the safety of visitors and staff and preservation of the Park's fragile natural and cultural resources. In addition, the existing law enforcement structure does not provide adequate protection to Park staff and visitors from extreme weather conditions. The proposal to remove the current law enforcement facility and replace it with a new building is needed in part to address human health and safety risks associated with conducting law enforcement operations out of the existing facility.

The new law enforcement division headquarters would replace the previous facility that was destroyed by fire in 2005 and the temporary modular facility currently being used. The new facility would be constructed in the existing paved parking area at the same location as the existing facility. The proposed two-story facility would support a number of law enforcement functions and provide space for protection ranger staff offices; a muster room

for the Padre Island Homeland Security Task Force; an evidence room; and storage for firearms, search and rescue equipment, emergency medical services, wildland fire gear, and radio equipment. In addition, the first floor would contain a prisoner management area, a sally port, secured vehicle bays for a fire engine and emergency patrol vehicles, and a tactical training room that also would serve as a storm shelter. The proposed facility would be designed to withstand torrential rains and high winds from storms and hurricanes. The new law enforcement headquarters would improve the work conditions for staff, create a secure location for law enforcement functions, and protect valuable law enforcement equipment and vehicles from criminals and the high saline environment and severe weather. The existing modular law enforcement structure would be demolished and disposed at a suitable landfill.

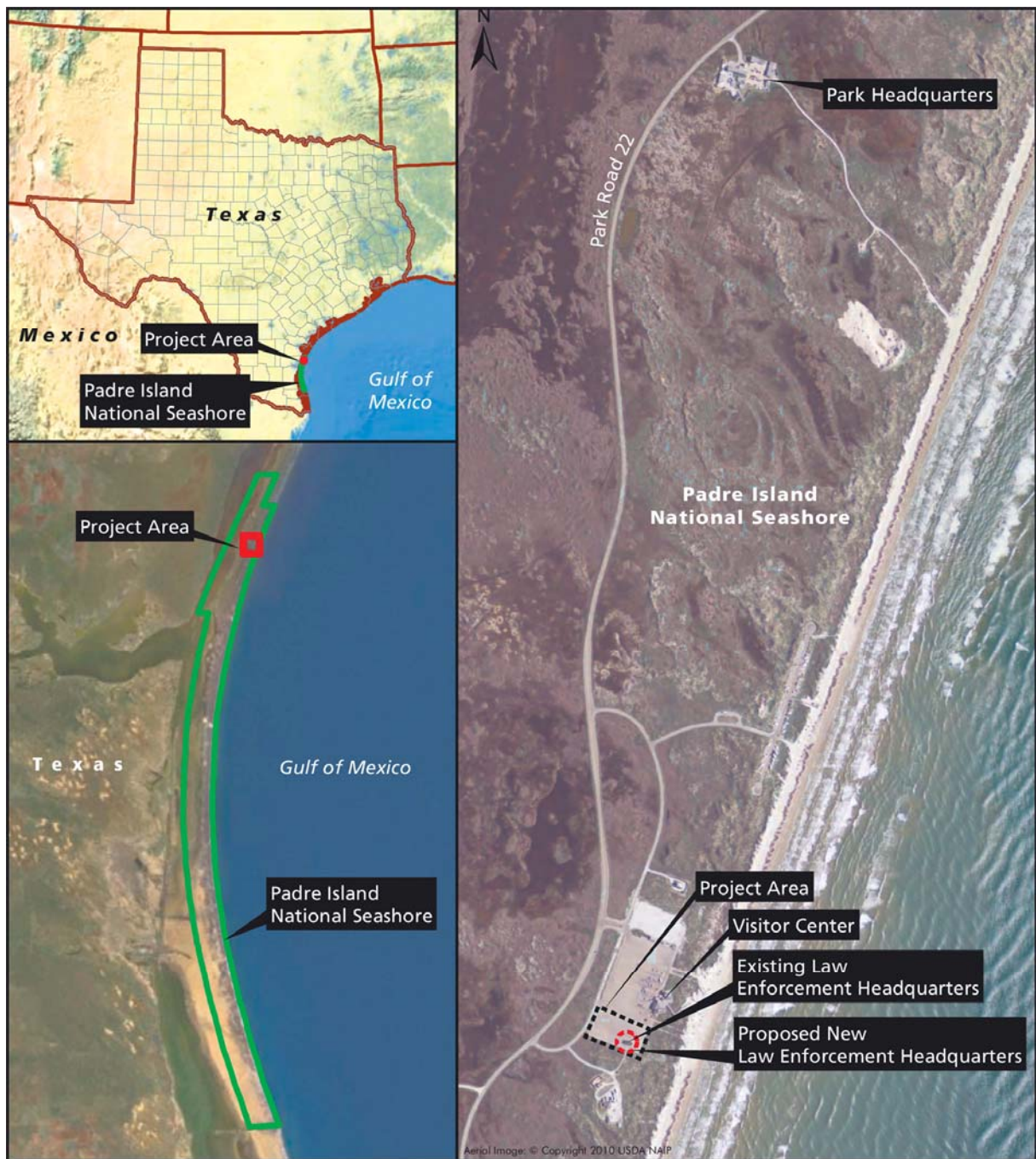
This Environmental Assessment/Assessment of Effect (EA/AoE) was prepared to evaluate potential environmental effects of constructing a new law enforcement headquarters and of a no action alternative, where the Park would continue to use the existing modular structure as the law enforcement headquarters, as well as other facilities and storage at Park headquarters. This EA/AoE was prepared in compliance with the National Environmental Policy Act (NEPA) of 1969 and implementing regulations, 40 CFR Parts 1500-1508, and NPS Director's Order (DO) 12 and Handbook: *Conservation Planning, Environmental Impact Analysis, and Decision-making*. This EA/AoE will determine whether significant impacts would occur as a result of the proposed project and if an environmental impact statement (EIS) or finding of no significant impact (FONSI) would be required. The NEPA process (40 CFR 1500-1508) is being used to comply with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, and in accordance with the Advisory Council on Historic Preservation's regulations implementing Section 106 (36 CFR Part 800). The Park Service has determined that no historic properties would be affected from construction of the proposed law enforcement facility or changes in the use of structures at Park headquarters previously occupied by law enforcement. The area of potential effect does not contain cultural resources eligible for or listed on the National Register of Historic Places (NRHP or national register). A copy of this EA/AoE will be submitted to the Texas State Historic Preservation Office. The EA/AoE also includes a statement of findings for floodplains in Appendix B and a Coastal Zone Management determination in Appendix C.

BACKGROUND

The previous law enforcement headquarters was located at the Park headquarters. This facility was destroyed by fire on January 16, 2005. A modular structure was temporarily placed in the parking lot of the Malaquite Visitor Center to serve as a replacement facility for law enforcement operations.

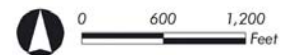
The existing law enforcement facility does not have the capacity to adequately accommodate law enforcement staff, equipment, and vehicles and was not designed to meet the specialized needs for law enforcement operations. Law enforcement operations encompass a variety of tasks in addition to law enforcement, including search and rescue, emergency medical service, wildland firefighting, incident command for disasters, and contraband interdiction. Several vital components of law enforcement operations such as the armory, secured storage, evidence room, tactical training, and equipment storage are located

FIGURE 1. PROJECT LOCATION

**Project Area**

Environmental Assessment
Proposed Law Enforcement Center

Padre Island National Seashore
United States Department of the Interior/National Park Service



at Park headquarters about 2 miles north of the law enforcement building. Thus, law enforcement response to some types of incidents is delayed because rangers have to collect equipment and vehicles from various locations. Because there is no secured storage for vehicles, expensive law enforcement equipment cannot be left in vehicles without being subject to vandalism or theft. In addition, vehicle and equipment maintenance and upkeep in the harsh marine environment adds to the financial burden of effectively managing the Park. Maintaining security at the current facility is difficult because of its small size. There is not sufficient space to keep detainees separate from the public and staff. As a result, operation security and employee safety is compromised in the current office arrangement. Planning and briefing sessions with collaborating law enforcement agencies is often hampered because of inadequate space for holding secure meetings and coordinating operations.

The National Seashore's 65-mile-long undeveloped beach on the Gulf of Mexico is conducive to drug smuggling and illegal immigration, which poses serious safety concerns for visitors, staff, and the surrounding communities. The remote location and limited access to much of the beach can hinder monitoring and law enforcement activities. The potential for resource damage and safety concerns for visitors and staff in the Park has risen dramatically in the last few years and consequently has resulted in five new positions within the Division of Ranger Activities. Coordinating law enforcement responses to emergencies within the National Seashore is a complex problem exacerbated by the vast area of the Park, its remote location, and the limited number of law enforcement personnel available. Homeland Security and interagency cooperation are growing priorities for the Park given the growing numbers of illegal immigrants, some with criminal backgrounds, smuggled through the National Seashore in order to avoid checkpoints on the mainland. In addition, Park rangers are often first responders when hazardous materials wash up on the beach before the Park's hazardous materials team address cleanup.

Protection and preservation of the National Seashore's fragile natural and cultural resources is also a responsibility of law enforcement rangers. The National Seashore preserves the majority of the longest section of undeveloped barrier island in the world. Monitoring and protecting Park resources and visitors is challenging because of the remote location of much of the Park. The Park provides important habitat for a number of marine and terrestrial threatened and endangered species and is rapidly becoming the most important nesting sites in the United States for the Kemp's ridley sea turtle, one of the most critically endangered sea turtles in the world. In addition, the Park contains a number of historic resources, which includes a unique combination of cultures that comprise the south Texas Native Americans, Spanish, and Anglo-Americans. Illegal drug and illegal immigrant traffic is the primary threat to Park natural and cultural resources. Vehicles and marine vessels used in the transport of illegal drugs and undocumented immigrants are abandoned in the Park. Drug smugglers bury contraband in the fragile dunes for later retrieval, resulting in erosion, habitat destruction, and destruction of protected flora and fauna. Undocumented immigrants trample vegetation, damage or destroy dunes by digging hideouts, establish clandestine campsites, and walk through sensitive, fragile environments. Illegal trails and campsites dot the landscape. Wildlife poaching is also a concern that requires law enforcement action.

PROJECT PURPOSE AND NEED

Project Purpose

The purpose of the proposed project is to provide facilities that meet NPS standards for law enforcement, staff, and public safety and to improve the efficiency and effectiveness of the National Seashore's law enforcement operations by consolidating staff, equipment, training facilities, storage, and vehicles in a single location. A new larger law enforcement headquarters would allow the Park to provide the necessary space for meeting Park law enforcement and emergency operation requirements. The objectives of the proposed project are to:

Improve the Efficiency of Park Law Enforcement and Other Emergency Service Operations

- Provide a centralized law enforcement headquarters with adequate space to support law enforcement's mission that includes firefighting, emergency medical service, incident command for disasters, contraband interdiction, as well as law enforcement and other human and natural resource protection functions;
- Provide law enforcement staff with a safe and secure environment to carry out their responsibilities;
- Ensure that Park law enforcement operations are in compliance with applicable regulatory requirements for training, building security, evidence and firearm storage, and containment of prisoners; and
- Improve coordination between NPS law enforcement, Homeland Security, and other law enforcement agencies.

Protection of Human Health and Safety

- Protect visitors from criminal activity, drug smuggling, illegal immigrants, and provide timely response to emergencies and a safe environment for visitors to enjoy the Park;
- Provide a shelter that gives protection to Park staff and visitors from extreme weather conditions; and
- Provide visitors a convenient accessible location to secure permits, report emergencies, and interact with Park law enforcement staff.

Protect Park Resources

- Improve the ability of law enforcement staff to respond to incidents or activities throughout the Park and better protect Park natural and cultural resources.

Project Need

Because of inadequate space designed and dedicated to law enforcement needs, the law enforcement staff is hindered when responding to fire, emergency medical, and public safety incidents because equipment and supplies for many of the staff responsibilities are spread out

in various locations and separated by as much as 2 miles. Delays caused by officers retrieving needed items from widely separated and overfilled storage spaces unnecessarily endangers human safety and Park resources. Currently, the existing law enforcement headquarters is in a 1,920-square-foot modular structure in the Malaquite Visitor Center parking lot. This facility does not have the capacity to adequately accommodate law enforcement staff, equipment, and vehicles and was not designed to meet the specialized needs for law enforcement operations.

Consolidation of Park operations at a single location with sufficient space and proximity to law enforcement resources is needed for Park rangers to efficiently respond to illegal activity, conduct search and rescue operations, respond to accidents and wildfires, provide emergency medical service, and respond to other incidents that are a risk to Park staff and visitors.

The modular trailer structure used for law enforcement was not designed to resist the extreme weather conditions common in the Park. Thus, the current facility does not provide adequate protection from strong winds, hurricanes, and tornadoes. The hazardous materials storage building, just south of the visitor center, and the chemical storage building at Park headquarters are currently the only structures at the National Seashore that provide shelter during storms or high winds for Park employees, Park residents and their families, and visitors. An additional shelter is needed at the National Seashore to improve safety for staff and visitors during storms.

Improved law enforcement facilities at a consolidated location are needed for Park rangers to better patrol the Park, respond to activities that may threaten Park resources, and provide parkwide protection of natural and cultural resources.

PURPOSE AND SIGNIFICANCE OF PADRE ISLAND NATIONAL SEASHORE

Padre Island National Seashore was established by an act of Congress on September 28, 1962, and is managed by the Park Service. The 130,434 acres of the seashore were set aside as part of the National Park system in order “to save and preserve, for purposes of public recreation, benefit, and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped” (Public Law 87 712).

The significance of the National Seashore lies in the unique, undeveloped nature of a natural ever-changing barrier island. The National Seashore is located along the southern coast of Texas, approximately 8 miles south of Corpus Christi, and is bordered by the Laguna Madre and the Gulf of Mexico. The Park occupies the central 68 miles of the approximately 113-mile-long Padre Island (Figure 1). The current law enforcement headquarters and proposed location for the new law enforcement building is at the northern end of the National Seashore adjacent to the Malaquite Visitor Center in the most developed portion of the Park. The project area for direct resource impacts associated with construction of the new facility includes about 3.25 acres wholly within the existing visitor center parking lot. However, law enforcement operations that serve to protect Park visitors, staff, and natural and cultural resources occur throughout the National Seashore.

The Park's landscape changes from broad sandy beaches to ridges of fore-island dunes to grassy flats separated by smaller dunes, ephemeral ponds, and wetlands. Back-island dunes and wind tidal flats merge with the waters of the Laguna Madre and define the western portion of the Park. The Park encompasses tens-of-thousands of acres of pristine wetlands that are important habitat for numerous flora and fauna species. The Park is also the most significant nesting beach in the United States for the Kemp's ridley sea turtle and is a Globally Important Bird Area, which includes more than 350 bird species.

RELATED PLANNING DOCUMENTS

Construction of the new law enforcement headquarters is consistent with the objectives of the Padre Island National Seashore General Management Plan (NPS 1983). The 1983 General Management Plan predates the destruction of the previous law enforcement headquarters by fire and the need for a new facility. However, an important component of the Park's mission is to ensure that the National Seashore provides a safe environment for Park visitors and that Park natural and cultural resources are protected. The new law enforcement headquarters also would be consistent with *NPS Management Policies 2006* (NPS 2006) as noted below:

- Construction of the new law enforcement headquarters would allow the Park to carry out its law enforcement responsibilities to protect the natural and cultural resources entrusted to its care and to provide for the protection, safety, and security of Park visitors, employees, concessioners, and public and private property (section 8.3.1).
- Because of the increasing importance in protecting the border and maintaining homeland security, the Park also must work cooperatively with the Department of Homeland Security; and other federal, state, and local agencies in the event of a terrorist attack, elevated threat level, or other major emergency incident (section 8.3.8).
- The National Park Service will provide administrative facilities that are necessary, appropriate, and consistent with the conservation of Park resources and values. Park facilities will be designed to be harmonious with Park resources, compatible with natural processes, aesthetically pleasing, functional, incorporate sustainable practices, cost-effective, universally designed, and as welcoming as possible to all segments of the population (section 1.9.5.2).
- In addition, the proposed project is consistent with the goals and objectives that major Park facilities within Park boundaries should be located to minimize impacts to Park resources (section 9.1.1.2). The proposed new facility would be located within an area of previous disturbance to minimize impacts.

Construction of two new sea turtle patrol cabins and the expansion of the headquarters incubation facility would provide operational facilities for the Division of Sea Turtle Science and Recovery that complies with the 1969 Padre Island National Seashore Resource Management Plan. A new law enforcement headquarters would complement the planned

improvement to sea turtle facilities by allowing law enforcement rangers to better respond to incidents that threaten sea turtle recovery efforts.

The NPS is considering alternatives to manage beach vehicle use at the National Seashore that focus on differences in speed limits on the beach to reduce current and potential future impacts of vehicle use on visitors, National Seashore employees, and wildlife resources. Traffic management actions that reduce the potential for accidents and increase protection of wildlife resources would aid law enforcement efforts.

The National Seashore's Fire Management Plan addresses wildland fires and measures such as prescribed burning and hazardous fuel reduction to restore the use of fire for maintaining the coastal prairie. The proposed law enforcement headquarters would allow rangers to better respond to wildland fires and implement the other components of the Fire Management Plan.

SCOPING

Scoping is a process to identify the resources that may be affected by a project proposal, and to explore possible alternative ways of achieving the proposal while minimizing adverse impacts. Park staff, NPS-Denver Service Center (DSC) resource professionals, and consultant architects conducted internal scoping. This interdisciplinary process defined the purpose and need, identified potential actions to address the need, determined the likely issues and impact topics, and identified the relationship of the preferred alternative to other planning efforts at the Park.

On January 7, 2011, the National Seashore initiated public scoping with a press release to provide the public and interested parties an opportunity to comment on the proposed project (Appendix A). The National Seashore also sent letters to interested individuals; organizations; state, county, and local governments; federal agencies; local businesses; and media outlets describing the preferred alternative and asking for comments. In addition, the scoping letter was sent to the state historic preservation office and American Indian groups traditionally associated with the Park, the U.S. Fish and Wildlife Service (USFWS), Government Land Office, and U.S. Army Corps of Engineers (Corps). Additional information on consultation with federal and state agencies and Native American Tribes is found in the "Consultation and Coordination" section.

The Park received three written comments from the public—one from an individual, one from Nueces County, and one from the Federal Emergency Management Agency (FEMA) during the January 7, 2011 to February 7, 2011 comment period. The public comment indicated support for the proposed law enforcement building location, as long as sufficient parking remains available at the visitor center. Nueces County supports construction of the law enforcement building as quickly as possible. FEMA recommended avoiding construction of facilities within a floodplain and coordination with the local floodplain administrator. The entire island is within a floodplain, with only small areas that are in the 500-year as opposed to the 100-year designated area. The public, agencies, and American Indian groups traditionally associated with the lands of the Park will also have an opportunity to review and comment on this EA/AoE.

Internal and external scoping comments were considered in the choice of impact topics and were used in the development and evaluation of alternatives discussed in this EA/AoE. Scoping issues or impact topics that were considered, but not evaluated further, are discussed below in “Impact Topics Dismissed from Further Consideration.”

IMPACT TOPICS RETAINED FOR FURTHER ANALYSIS

In this section and the following “Impact Topics Dismissed from Further Analysis” section, the Park Service takes a “hard look” at all potential impacts by considering the direct, indirect, and cumulative effects of the preferred alternative on the environment, along with connected and cumulative actions. Impacts are described in terms of context and duration. The context or extent of the impact is described as localized, parkwide, or regional. The duration of impacts is described as short-term, typically within several years of construction activities, or long-term, which may extend up to 20 years or longer. The intensity and type of impact is described as negligible, minor, moderate, or major, and as beneficial or adverse. The Park Service equates “major” effects as “significant” effects. The identification of “major” effects would trigger the need for an EIS. Where the intensity of an impact could be described quantitatively, the numerical data are presented; however, most impact analyses are qualitative and use best professional judgment in making the assessment.

The Park Service defines “measurable” impacts as moderate or greater effects. It equates “no measurable effects” as minor or less effects. “No measurable effect” is used by the Park Service in determining if a categorical exclusion applies or if impact topics may be dismissed from further evaluation in an EA or EIS. The use of “no measurable effects” in this EA/AoE pertains to whether the Park Service dismisses an impact topic from further detailed evaluation in the EA. The reason the Park Service uses “no measurable effects” to determine whether impact topics are dismissed from further evaluation is to concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail in accordance with Council on Environmental Quality (CEQ) regulations at 1500.1(b).

In this section of the EA/AoE, the Park Service provides a limited evaluation and explanation as to why some impact topics are not evaluated in more detail. Impact topics are dismissed from further evaluation in this EA/AoE if:

- they do not exist in the analysis area, or
- they would not be affected by the proposal, or the likelihood of impacts are not reasonably expected, or
- through the application of mitigation measures, there would be minor or less effects (i.e., no measurable effects) from the proposal, and there is little controversy on the subject or reasons to otherwise include the topic.

Due to there being no effect or no measurable effects, there would either be no contribution toward cumulative effects or the contribution would be low. For each issue or topic presented below, if the resource is found in the analysis area or the issue is applicable to the proposal, then a limited analysis of direct, indirect, and cumulative effects is presented.

Issues and impact topics for this project have been identified based on federal laws, regulations, and orders; *NPS Management Policies 2006*; and NPS knowledge of resources at the Park, as well as the questions and comments brought forth during internal and external scoping. Impact topics that are carried forward for further analysis in this EA/AoE are listed below in Table 1 along with the reasons why the impact topic is further analyzed.

TABLE 1. IMPACT TOPICS RETAINED FOR FURTHER ANALYSIS AND RELEVANT LAWS, REGULATIONS, AND POLICIES

Impact Topic	Reasons for Retaining Impact Topic	Relevant Laws, Regulations, and Policies
Park Operations	Law enforcement operations and efficiency would be improved by having a new headquarters with adequate capacity and facilities to support law enforcement functions. A new larger facility would require additional maintenance, although the sustainable design features would minimize energy use and structural design would withstand storms.	<i>NPS Management Policies 2006</i> ; <i>OMB Circular A-123</i> ; <i>Federal Managers' Financial Integrity Act of 1982 (31 USC 3512(d))</i> ; <i>Government Performance and Results Act of 1993</i>
Health and Safety	The proposed law enforcement headquarters would benefit health and safety by allowing improved law enforcement operations and providing better response to criminal activity, search and rescue, control of drug smuggling, and illegal entry.	<i>NPS Management Policies 2006</i>
Visitor Use and Experience	The proposed law enforcement facility would reduce parking at the visitor center and would add construction noise and disturbance. A public entrance to the law enforcement headquarters would provide visitors an opportunity to contact law enforcement staff.	<i>NPS Management Policies 2006</i>
Water Resources	Construction of a new law enforcement facility has the potential for short-term sediment generation from earthwork at the construction site and long-term improvements to water quality from construction of vegetated landscape islands and a water retention pond.	<i>NPS Organic Act</i> ; <i>NPS Management Policies 2006</i> ; <i>Resource Management Guidelines (NPS-77)</i> ; <i>Executive Order (EO) 11988</i> ; <i>EO 11990</i> ; <i>Clean Water Act</i>
Floodplains	<i>EO 11988, "Floodplain Management"</i> requires all federal agencies to avoid construction within the 100-year floodplain unless no other practicable alternative exists. Pursuant to <i>NPS Management Policies 2006</i> and <i>DO-77-2: Floodplain Management</i> , the Park Service is mandated to strive to preserve floodplain values and minimize hazardous floodplain conditions. The project area would be located within a floodplain in the coastal zone. Therefore, this topic is carried forward for analysis.	<i>EO 11988, "Floodplain Management"</i> ; <i>DO-77-2: Floodplain Management</i> ; <i>NPS Management Policies 2006</i> ; <i>Section 306 of the Federal Coastal Zone Management Act of 1972 and Texas Coastal Management Plan Consistency (Statewide Rule Section 3.8, subsection (j))</i>

IMPACT TOPICS DISMISSED FROM FURTHER ANALYSIS

Following is an overview of impact topics that were considered but ultimately dismissed from further analysis. As previously discussed, impact topics were dismissed from further

analysis if it was determined that the project did not have the potential to cause substantial change to these resources and values. The regulatory context and baseline conditions relevant to each impact topic were analyzed in the process of determining if a topic should be retained or dismissed from further analysis. An outline of background information used in considering each topic is provided below along with the reasons for dismissing each topic from further analysis.

Topography, Geology, and Soils

The topography, geology, and soils on North Padre Island are the product of sediments deposited high on the beach by waves and currents, which are subsequently transported landward by persistent onshore winds (Weise and White 1980). This migrating sand is then trapped along the back edge of the beach by vegetation, where it forms the fore island dune ridge. Without vegetation to stabilize these dunes, the fine sand can be moved by wind to other areas. The soils underlying the existing parking area and proposed law enforcement headquarters location were previously machine graded, leveled, and covered with asphalt pavement. Construction of the law enforcement headquarters would occur within the existing parking lot that currently supports the modular law enforcement structure and visitor center parking. The construction area contains no significant topographic, geologic, or soil features. The proposed construction would require excavation of the asphalt and underlying soils for construction of the building foundation. Topographic changes and site disturbance would be minimal from landscape improvements. The planned use of temporary and permanent erosion control best management practices (BMPs) would reduce the potential for erosion and soil loss. Because topography, geology, and soil impacts would be minor or less, this impact topic was dismissed from further analysis in this EA/AoE.

Vegetation

Vegetation at Padre Island National Seashore is comprised of beach, dune, coastal prairie, and wetland communities that are predominantly herbaceous in nature. There are 456 flowering plant species from 77 families present in the Park (Cooper et al. 2005). Physical factors such as high temperatures, sun exposure, salinity, isolation from the mainland, and high levels of disturbance from hurricanes and fire influence the structure and composition of plant communities on the island. Prior to the Park's establishment, cattle grazing, burning, and military activities resulted in degraded plant communities (NPS 1999). When the Park was established, these activities ceased, allowing vegetation structure and species composition to return to a more natural state. The Park's resource management and fire management plans, as well as exotic vegetation monitoring and control activities, provide long-term minor benefits to the various plant communities on the island.

Construction of the new law enforcement facility would be entirely within in an existing area of asphalt pavement and would have no impact on vegetation. Proposed landscaping includes removal of existing asphalt and construction of three landscaped areas planted with native vegetation. A stormwater retention pond in one of the landscaped islands would support wetland vegetation. The proposed landscaping would have aesthetic and water quality beneficial effects by creating about 1.2 acres of new vegetation and wetlands.

Wetlands are discussed below in the “Wetland” section. Because the proposed project would have no effect on existing vegetation, this topic was dismissed from additional discussion in the EA/AoE.

Wetlands

Wetland communities found on North Padre Island include ephemeral ponds, freshwater wetlands supported by groundwater, wind-tidal flats, and seagrass beds. Freshwater wetlands are common in swales along the length of the island’s interior. Saltwater from tropical storms and freshwater from precipitation fill shallow depressions west of the parking lot and are vegetated with black willow, bulrush, gulfdune paspalum, and pennywort. East of the parking lot, the sand dunes are vegetated in varying densities with grasses and forbs including bitter panicum, sea oats, and seacoast bluestem. The proposed law enforcement facility would be constructed at the same location as the current law enforcement structure within an existing paved parking lot. No existing wetlands are present in the project area.

The proposed law enforcement headquarters would be constructed within an existing asphalt parking lot. Construction of the new building and associated parking and landscaping would have no impact on existing wetlands. The proposed landscaping includes creation of a 2,800-square-foot stormwater retention pond that would capture runoff from the parking lot and is anticipated to provide supporting hydrology for establishment of wetland vegetation. Wetlands would aid in nutrient uptake, improve the aesthetics of the parking lot, and provide an area of potential habitat for water birds, reptiles, and amphibians. Sediment accumulation in the pond would require periodic cleaning that would temporarily affect wetland vegetation. Sediment removal would occur outside of the primary growing season. Construction of the retention pond and establishment of wetlands would have a local long-term minor beneficial effect by creating new wetlands in an area currently covered with asphalt. Because there would be no adverse impacts to wetlands and the proposed stormwater retention basin would have a minor beneficial effect, this topic was dismissed from further consideration in this EA/AoE.

Wildlife

The diverse coastal prairies, sandy dunes, wetlands, and marine habitats at the National Seashore provide habitat to a variety of fish and wildlife species, as well as important wintering habitat for many migratory shorebirds. The Park provides habitat for 47 species of terrestrial mammals, marine mammal, 350 species of migratory and residential birds, 100 species of freshwater and marine fishes, 56 species of reptiles and amphibians, and 36 species of invertebrates, including crabs, mollusks, and benthic (bottom-dwelling) organisms. Because the project area is within an existing asphalt parking lot that is heavily used by visitors and Park staff, there is no suitable habitat for wildlife.

Situated along the Central Flyway, Padre Island National Seashore is a Globally Important Bird Area for more than 350 migratory, over-wintering, and resident bird species. In 2007, the National Seashore was added to the Western Hemisphere Shorebird Reserve Network, the first NPS unit to receive this international designation. Protection under the Migratory Bird Treaty Act makes it unlawful to pursue, hunt, kill, capture, possess, buy, sell,

purchase, or barter any migratory bird, including the feathers or other parts, nests, eggs, or migratory bird products. In addition, this act serves to protect environmental conditions for migratory birds from pollution or other ecosystem degradations. There is no habitat for birds at the visitor center parking lot or known nesting sites, vital foraging areas, or roosting grounds on adjacent land. Construction-related noise and vehicles accessing the site could potentially disturb migratory bird species, but these adverse impacts would be temporary and negligible, lasting only as long as construction.

Construction-related noise may disturb other terrestrial wildlife in the general area, but the effects would be local and temporary. Sound conditions are expected to remain similar to existing conditions following construction, although a slight increase in traffic and human activity would occur at the new law enforcement facility. Therefore, the temporary noise from construction would have a negligible long-term adverse effect on wildlife. The visitor center, parking lot, and existing modular law enforcement building has nearly constant foot and vehicle traffic and noise from construction would have minimal effect on wildlife. Because there would be no direct impact to wildlife habitat and the potential impact to wildlife from construction-related noise would be local, short-term, less than minor, and adverse, wildlife was dismissed as an impact topic in this EA/AoE.

Special Status Species

Under the Endangered Species Act of 1973 (ESA), the Park Service has responsibility to address impacts to federally listed, candidate, and proposed species. In addition, NPS policy requires that state-listed species, and others identified as species of management concern by the park, are to be managed in parks in a manner similar to federally listed species.

Forty-seven listed federal and/or state protected species potentially occur at the Park. Of these, 26 species have actually been documented at the National Seashore (Table 2). The remaining species have either not been documented and/or there is no suitable habitat within the Park. The Park does not have any designated critical habitat. Federally listed threatened and endangered reptile and amphibian species known to occur in the Park include American alligator and five sea turtles—Atlantic hawksbilled sea turtle, green sea turtle, Kemp's ridley sea turtle, loggerhead sea turtle, and leatherback sea turtle. The Park Service leads a cooperative program to detect, study, and protect nesting Kemp's ridley sea turtles and sea turtle nests on North Padre Island, including the National Seashore. Under this program, the Park has and would continue to actively manage and protect the Kemp's ridley sea turtle to increase its population. In addition, four federally listed threatened or endangered bird species are known to occur within the Park including piping plover, northern Aplomado falcon, cerulean warbler, and black capped vireo. One endangered plant species is known to occur in the Park—slender rush pea. In addition to these species, federal candidate species and species of concern and state threatened, endangered, and species of concern occur in the Park as listed in Table 2.

Informal consultation was initiated with the Fish and Wildlife Service on January 7, 2011 to determine if any federally listed species were of concern. Based on Park resource data and staff knowledge, the Park has determined that no federally listed or special status species are in the project area and there would be no adverse effects to federally listed species by the

proposed project. Because no special status species would be adversely impacted by the proposed project, this topic was dismissed from consideration in this EA/AoE.

TABLE 2. STATE AND FEDERALLY LISTED THREATENED AND ENDANGERED SPECIES KNOWN TO OCCUR WITHIN PADRE ISLAND NATIONAL SEASHORE

Common Name	Scientific Name	Federal Status	State Status
Reptiles and Amphibians			
American Alligator	<i>Alligator mississippiensis</i>	T (S/A)	
Atlantic Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	E	E
Green Sea Turtle	<i>Chelonia mydas</i>	T	T
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	E	E
Loggerhead Sea Turtle	<i>Caretta caretta</i>	T	T
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	E	E
Spot-tailed Earless Lizard	<i>Holbrookia lacerata</i>		SOC
Texas Horned Lizard	<i>Phrynosoma cornutum</i>	SOC	T
Texas Indigo Snake	<i>Drymarchon melanurus erebennus</i>		T
Texas Tortoise			T
Birds			
Eastern Brown Pelican	<i>Pelecanus occidentalis</i>	Delisted	T
Reddish Egret	<i>Egretta rufescens</i>	C	T
White-faced Ibis	<i>Plegadis chihi</i>	C	T
Wood Stork	<i>Mycteria Americana</i>		T
Sooty Tern	<i>Sterna fuscata</i>		T
Piping Plover	<i>Charadrius melodius</i>	T	T
Bald Eagle (lower 48 states)	<i>Haliaeetus leucocephalus</i>		T
Northern Aplomado Falcon	<i>Falco femoralis septentrionalis</i>	E	E
Swallow-tailed Kite	<i>Elanoides forficatus</i>		T
White-tailed Hawk	<i>Buteo albicaudatus</i>		T
American Peregrine Falcon	<i>Falco peregrines anatum</i>	Delisted	T
Cerulean Warbler	<i>Dendroica cerulea</i>	T	
Black-capped Vireo	<i>Vireo atricapillus</i>	E	E
Tropical Parula	<i>Parula pitiayumi</i>	C	T
Plants			
Roughseed Sea-purslane	<i>Sesuvium trianthemoides</i>	C	SOC
Slender rush-pea	<i>Hoffmannseggia tenella</i>	E	

Source: NPS 2010.

- T = Species that is likely to become endangered within the foreseeable future throughout all or a significant portion of its range.
- E = Species in danger of extinction throughout all or a significant portion of its range.
- C = Species for which the Service has on file enough substantial information to warrant listing as threatened or endangered.
- T (S/A) = Threatened due to similarity of appearance.
- SOC = Species for which there is some information showing evidence of vulnerability, but not enough data to support listing at this time.

Prime or Unique Farmland

In 1980, the CEQ directed federal agencies to assess the effects of their actions on farmland soils classified as prime or unique by the United States Department of Agriculture, Natural Resources Conservation Service. Prime or unique farmland is defined as soil that particularly produces general crops such as common foods, forage, fiber, and oil seed; and specialty crops such as fruits, vegetables, and nuts. Both categories require that the land be available for farming uses. Lands within the Park are not available for farming and, therefore,

do not meet the definition. Thus, prime or unique farmland was dismissed as an impact topic in this EA/AoE.

Visual Resources

The existing law enforcement headquarters is on the south side of the Malaquite Visitor Center parking lot. The current law enforcement headquarters is made from mobile trailers and has the appearance of a temporary structure. The structure is the same color as the visitor center, but does not have the same character and design as the visitor center. The expansive 6-acre asphalt parking lot is the dominant landscape feature at the site. From the existing modular structure, the visitor center can be seen to the northeast. The fore dunes, VIP campground, ranger residence, and a few other small buildings can be seen to the south. The foreground east and north of the existing modular structure is dominated by the parking lot, with high dunes visible in the background. The Gulf of Mexico and the beach are not visible from ground level at the existing structure because the elevation of the fore dunes blocks the view.

Continued use of the modular structure as the law enforcement headquarters would have a local long-term minor adverse effect on the visual quality near the visitor center because the temporary structure does not blend with the existing visitor center. The proposed new building design would use materials and colors compatible with the appearance of the visitor center. The vegetated landscape islands with ponds would be planted to support vegetation similar to what is present on lands bordering the parking area. The proposed landscape vegetation and pond would improve the visual starkness of the existing large parking lot and provide some visual screening between the visitor center and law enforcement building. Construction of the law enforcement building and landscape features would provide a sound structure compatible with the visitor center, as well as an aesthetically appealing look compatible with the landscape. The new facility would have a local long-term minor beneficial effect to visual quality. Construction disturbance would result in a local short-term minor adverse impact to visual quality. Because impacts on visual quality would be beneficial and less than minor, this topic was dismissed from further consideration in this EA/AoE.

Air Quality

The Clean Air Act of 1963 (42 United States Code [USC] 7401 et seq.) was established to promote the public health and welfare by protecting and enhancing the nation's air quality. The act establishes specific programs that provide special protection for air resources and air quality-related values associated with national park system units. Section 118 of the Clean Air Act requires a park system unit to meet all federal, state, and local air pollution standards. Padre Island National Seashore is designated as a Class II air quality area under the Clean Air Act. A Class II designation by the State of Texas, as authorized by the Prevention of Significant Deterioration provisions of the Clean Air Act, indicates the maximum allowable increase in concentrations of pollutants over baseline concentrations of sulfur dioxide and particulate matter. Further, the Clean Air Act provides that the federal land manager have an affirmative responsibility to protect air quality-related values (including visibility, plants, animals, soils, water quality, cultural resources, and visitor health) from adverse pollution

impacts. The Park's air quality is protected by allowing limited increases over baseline concentrations of sulfur dioxide, nitrogen oxides, and particulate matter.

Mobile source emissions in the Park include highway and off-road vehicles, which affect air quality through the production of particulate matter, sulfur dioxide, nitrogen oxides, carbon monoxide, and volatile organic compounds. Vehicle emissions occur from both NPS-operated vehicles and from an estimated annual 230,000 visitor vehicles.

Constructing the law enforcement headquarters would require vehicles to deliver construction materials and transport construction personnel to the site. Excavating equipment would also be used for site preparation work. Construction-related activities would result in temporary increases in air quality emissions. However, vehicle emissions would dissipate quickly due to prevailing southeast winds from March through September and north-northeasterly winds from October through February. Based on the relatively short duration of construction activities and the limited emissions from a small number of vehicles in comparison to the number of vehicles operating in the Park yearly, and the dominant daily winds, impacts to air quality would be negligible and within federal and state standards. The Class II air quality designation for the National Seashore would not be affected by the preferred alternative. Consolidating law enforcement operations at a single location would reduce vehicle travel to Park headquarters for law enforcement equipment and operations that are currently located at headquarters. Because impacts on air quality would be less than minor, this topic was dismissed from further consideration in this EA/AoE.

Climate Change

Climate change refers to any significant changes in average climatic conditions (such as mean temperature, precipitation, or wind) or variability (such as seasonality and storm frequency) lasting for an extended period (decades or longer). Recent reports by the U.S. Climate Change Science Program, the National Academy of Sciences, and the United Nations Intergovernmental Panel on Climate Change provide evidence that climate change is occurring as a result of rising greenhouse gas (GHG) emissions and could accelerate in the coming decades. While climate change is a global phenomenon, it manifests differently depending on regional and local factors. General changes that are expected to occur in the future as a result of climate change include hotter, drier summers; warmer winters; warmer water; higher ocean levels; more severe wildfires; degraded air quality; more heavy downpours and flooding; and increased drought. Climate change is a far-reaching, long-term issue that could affect the Park, its resources, visitors, and management. Although some effects of climate change are considered known or likely to occur, many potential impacts are unknown. Much depends on the rate at which the temperature would continue to rise and whether global emissions of GHGs can be reduced or mitigated. Climate change science is a rapidly advancing field and new information is being collected and released continually.

The Park strives to incorporate the principles of sustainable design and development into all facilities and Park operations. Sustainability can be described as the result achieved by doing things in ways that do not compromise the environment or its capacity to provide for present and future generations. Sustainable practices minimize the short- and long-term environmental impacts of developments and other activities through resource conservation,

recycling, waste minimization, and the use of energy-efficient and ecologically responsible materials and techniques. Value analysis and value engineering, including life-cycle cost analysis, is also performed to examine energy, environmental, and economic implications of proposed management decisions and development. The Park also encourages suppliers, permittees, and contractors to follow sustainable practices. The sustainable design concepts incorporated into the law enforcement building design would use renewable energy sources, recycled material, and measures to minimize energy use.

In addition, warmer ocean temperatures, higher carbon dioxide and nutrient concentrations, higher sea levels and sediment loads, and possibly more frequent destructive storms could add climate-induced stresses that may threaten the barrier islands like North Padre Island. Changes in the relative sea level along the Texas coast have moved the shoreline by simply inundating it and by shifting the action of waves and currents landward (Gibeau et al. 2001). Studies indicate it is likely that the human-induced increase in GHGs has contributed to the increase in sea surface temperatures in hurricane formation regions and that it is likely that hurricane rainfall and wind speeds will increase in response to human-caused warming of the earth (U.S. Climate Change Science Program 2008). Thus, rising ocean levels and/or increased hurricane and storm intensity have the potential to affect the life span of the proposed new facility. The law enforcement headquarters is being constructed at a relatively high elevation on the island and existing fore dunes would provide protection from storm surge and rising water levels.

Construction activities associated with implementation of the preferred alternative would contribute to increased GHG emissions, but such emissions would be short-term, ending with the cessation of construction. The sustainable design components of the new facility, such as use of photovoltaics, wind turbines, high energy-efficient lighting, and windows would minimize GHG emissions associated with the operation of the new building. Any effects of construction-related GHG emissions on climate change would not be discernible at a regional scale, as it is not possible to meaningfully link the GHG emissions of such individual project actions to quantitative effects on regional or global climatic patterns. While climate change that contributes to rising sea levels and more frequent storms could affect the life span of the new facility, it is being constructed in a high elevation portion of the Park. Because GHG emissions from construction and operation of the new facility would be minor and the Park is taking steps to minimize the potential for impacts to the structure from flooding and storms, climate change was dismissed from further evaluation in this EA/AoE.

Lightscape

In accordance with NPS *Management Policies 2006*, the Park Service strives to preserve natural ambient landscapes, which are natural resources and values that exist in the absence of human-caused light. The Park limits the use of artificial outdoor lighting to that necessary for security and human safety. The Park also strives to ensure that all outdoor lighting is shielded to the maximum extent possible to keep light on the intended subject and out of the night sky. The visitor center and Park headquarters are the primary sources of light at the Park.

The proposed law enforcement facility would be located within the existing visitor center parking lot. The new facility would have additional lighting requirements above the existing facility, but only the minimal amount of lighting to provide security and human safety would be used. All lighting would be directed downward with appropriate shielding mechanisms. The preferred alternative would not have an appreciable effect on the ambient lightscape and would have a local long-term negligible adverse effect on the night sky. Because impacts to the lightscape would be minor or less, this impact topic was dismissed from further analysis in this EA/AoE.

Natural Soundscapes

In accordance with NPS *Management Policies 2006* and DO 47: *Sound Preservation and Noise Management*, an important part of the NPS mission is preservation of natural soundscapes associated with national park system units. Natural soundscapes exist in the absence of human-caused sound. The natural ambient soundscape is the aggregate of all natural sounds that occur in park system units, together with the physical capacity for transmitting natural sounds. Natural sounds occur within and beyond the range of sounds that humans can perceive and can be transmitted through air, water, or solid materials. The frequencies, magnitudes, and durations of human-caused sound considered acceptable varies among park system units, as well as potentially throughout each park system unit, being generally greater in developed areas and less in undeveloped areas.

The proposed law enforcement headquarters would be located in the existing visitor center parking lot, which currently receives most of the Park visitors. Dominant noise sources at the project area include visitor and staff traffic, people talking, and maintenance equipment. However, the sounds of the crashing surf on the beach and wind also can extend into the project area. Construction-related activities from equipment, vehicles, and workers would introduce dissonant sounds, but such sounds would be temporary. With more of the law enforcement functions, including vehicle and equipment storage, at the new law enforcement headquarters, there would be a slight increase in traffic and noise from the additional activities. The noise associated with the new law enforcement facility would not be out-of-place in such a setting. Prevailing winds from the east would also carry noise from the law enforcement facility away from the visitor center and beach. Because impacts to the soundscape would be minor or less, this impact topic was dismissed from further analysis in this EA/AoE.

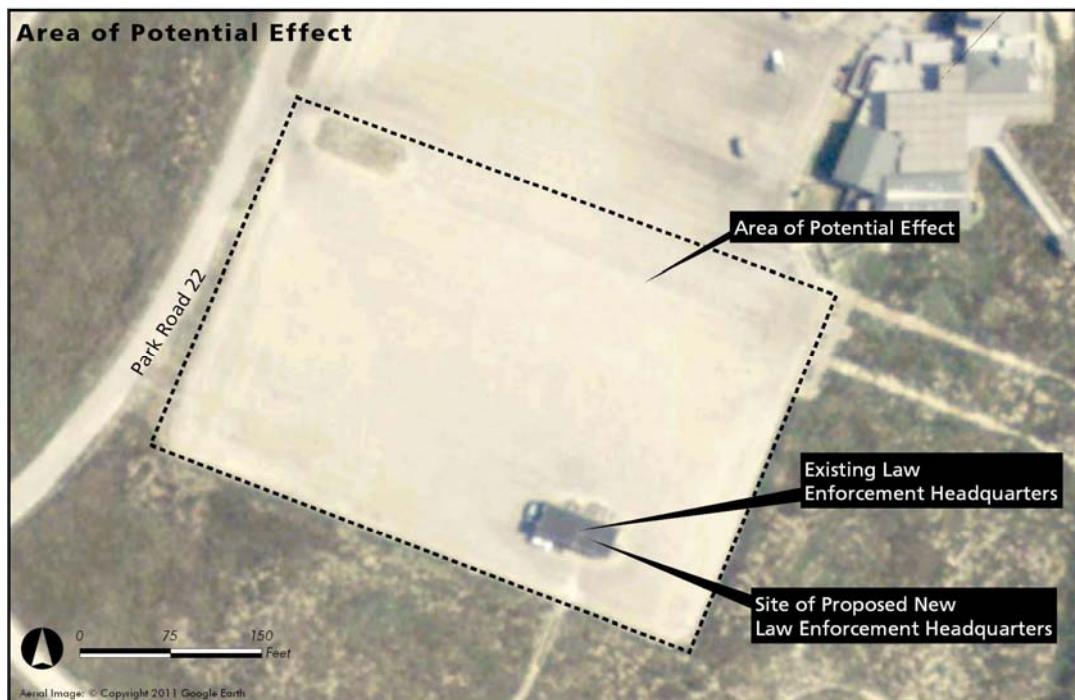
Archeological Resources

Section 106 of the NHPA of 1966, as amended (16 USC 470, et seq.) and its implementing regulations under 36 CFR 800 require all federal agencies to consider the effects of federal actions on cultural properties eligible for or listed in the national register. For an archeological site to be listed in the national register, it must be associated with an important historic event, significant person(s), embody distinctive characteristics or qualities of workmanship, or have the potential to provide significant information on prehistory or history.

The area of potential effect for the proposed law enforcement headquarters is wholly within an area that has experienced extensive disturbance and grading to construct the existing asphalt-paved parking lot; therefore, no survey for archeological resources was conducted (Figure 2). While the proposed project area is not expected to contain archeological deposits, if during construction significant archeological resources are discovered, all work in the immediate vicinity of the discovery would be halted until the extent, nature and significance of the resources has been determined and the resource documented, and an appropriate mitigation strategy is developed in consultation with the NPS and state historic preservation office, and if necessary, any associated Native American tribes. In the unlikely event that human remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered during construction, provisions outlined in the Native American Graves Protection and Repatriation Act (25 USC 3001) of 1990 would be followed. A NPS-approved archeologist would be on-site during construction to advise or take appropriate actions should any archeological resources be uncovered during construction. The Park Service also would ensure that all contractors and subcontractors are informed of the penalties for illegally collecting artifacts or intentionally damaging archeological sites. Because the project area for the law enforcement headquarters contains no known archeological resources eligible for listing in the national register and appropriate actions would be taken if resources were discovered during excavation work, archeological resources were dismissed as an impact topic in this EA/AoE.

Section 106 Summary. After applying Advisory Council on Historic Preservation criteria of adverse effects (36 CFR Part 800.5, *Assessment of Adverse Effects*), the NPS finds that implementation of the preferred alternative would have no adverse effect on archeological resources within the area of potential effect for the proposed new law enforcement headquarters.

FIGURE 2. AREA OF POTENTIAL EFFECT FOR THE PROPOSED NEW LAW ENFORCEMENT HEADQUARTERS



Historic Structures

Section 106 of the NHPA of 1966, as amended (16 USC 470, et seq.) and its implementing regulations under 36 CFR 800 require all federal agencies to consider the effects of federal actions on cultural properties, including historic structures, eligible for or listed in the national register. For a structure to be listed in the national register, it must be associated with an important historic event, person(s), or embody distinctive characteristics or qualities of workmanship. The term “historic structures” refers to both historic and prehistoric structures, which are defined as constructions that shelter any form of human habitation or activity.

The area of potential effect for the proposed location for the law enforcement headquarters is wholly within an existing asphalt-paved parking lot where no existing historic structures are located (Figure 2). No survey for historic structures was conducted for the current project since the Park has been previously inventoried for historic structures. The existing modular structure currently used as the law enforcement headquarters is less than 50 years old and does not qualify as a potential historic property. The Malaquite Visitor Center adjacent to the proposed site for the new facility also is not eligible for the national register. Components of law enforcement operations currently housed at Park headquarters would be reallocated for other Park operations. Since the Park headquarters is not eligible for the national register, any change in use would not affect national register qualities. Because the existing visitor center adjacent to the proposed law enforcement building site and structures at Park headquarters affected by the proposed new facility have been determined not eligible for the national register as part of a prior inventory, no further consideration of historic structures is necessary. Because the project area for the law enforcement headquarters contains no known historic structures and appropriate actions would be taken if resources were discovered during excavation work, historic structures was dismissed as an impact topic in this EA/AoE.

Section 106 Summary. After applying Advisory Council on Historic Preservation criteria of adverse effects (36 CFR Part 800.5, *Assessment of Adverse Effects*), the NPS finds that implementation of the preferred alternative would have no adverse effect on historic structures within the area of potential effect for the proposed new law enforcement headquarters.

Ethnographic Resources

The Park Service defines ethnographic resources as any “landscape, objects, plants and animals, or sites and structures that are important to a people’s sense of purpose or a way of life.” Ethnographic resources are not known to exist in the proposed project area. Native American tribes traditionally associated with Padre Island National Seashore were apprised of the proposed project in a letter dated January 7, 2011, and no responses were received from these tribes. Tribal responses to previous Park projects confirm their cultural affiliations with the area. The previous contacts with tribal representatives provide no reason to expect impacts to significant ethnographic resources.

Copies of this EA/AoE will be forwarded to each associated tribal group and other interested parties for review and comment. If subsequent issues or concerns are identified, appropriate consultations would be undertaken. Because it is unlikely that ethnographic resources would be affected, and because appropriate steps would be taken to protect any human remains, funerary objects, sacred objects, or objects of cultural patrimony inadvertently discovered, ethnographic resources was dismissed as an impact topic in this EA/AoE.

Section 106 Summary. After applying Advisory Council on Historic Preservation criteria of adverse effects (36 CFR Part 800.5, *Assessment of Adverse Effects*), the NPS finds that implementation of the preferred alternative would have no adverse effect on ethnographic resources.

Cultural Landscapes

According to the NPS DO-28: *Cultural Resource Management Guideline*, a cultural landscape is a reflection of human adaptation and use of natural resources, and is often expressed in the way land is organized and divided, patterns of settlement, land use, systems of circulation, and the types of structures that are built. Although a cultural landscape inventory has not been completed at Padre Island National Seashore, the remnants of the Dunn Ranch are part of the cultural landscape that provides a relatively rare example of cattle ranching on a barrier island. The area of potential effect for the proposed law enforcement facility is in a recent built environment, does not meet the 50-year criteria for a potential historic property, and would not be included under consideration of a cultural landscape. The proposed facility would, however, be constructed with a design and materials that would blend in well with the current architectural style of the visitor center. The proposed project would not deter from the potential of the Park to be nominated and included on the national register as a cultural landscape. Because the new law enforcement facility would not likely contribute to a significant cultural landscape or deter future nomination, there would be no adverse impacts and, therefore, this topic was dismissed from further analysis in this EA/AoE.

Section 106 Summary. After applying Advisory Council on Historic Preservation criteria of adverse effects (36 CFR Part 800.5, *Assessment of Adverse Effects*), the NPS finds that implementation of the preferred alternative would have no adverse effect on cultural landscapes within the area of potential effect for the proposed new law enforcement headquarters.

Museum Collections

According to DO-24: *Museum Collections*, the Park Service requires the consideration of impacts on museum collections. Museum collections include prehistoric and historic objects, artifacts, works of art, archival material, and natural history specimens. These collections may be threatened by fire, vandalism, natural disasters, and careless acts. The preservation of museum collections is an ongoing process of preventive conservation, supplemented by conservation treatment, when necessary. The primary goal is preservation of artifacts in the most stable condition possible to prevent damage and minimize deterioration. Because some of the Park is within a 100-year coastal flood area and within a 100-year floodplain, no

museum collections are kept inside the Park and, therefore, no collections would be impacted by the proposed project and museum collections were dismissed as an impact topic in this EA/AoE.

Section 106 Summary. After applying Advisory Council on Historic Preservation criteria of adverse effects (36 CFR Part 800.5, Assessment of Adverse Effects), the NPS finds that implementation of the preferred alternative would have no adverse effect on museum collections.

Indian Trust Resources

Secretarial Order 3175 requires that any anticipated impacts to Indian trust resources from a proposed project or action by Department of the Interior agencies be explicitly addressed in environmental documents. The federal Indian trust responsibility is a legally enforceable fiduciary obligation on the part of the United States to protect tribal lands, assets, resources, and treaty rights. The order represents a duty to carry out the mandates of federal law with respect to American Indian and Alaska Native tribes. None of the lands of the Park are Indian trust resources according to this definition. In addition, any Indian titles to such lands now within the Park have been extinguished through cession or sale. Therefore, Indian trust resources were dismissed as an impact topic in this EA/AoE.

Environmental Justice

Presidential EO 12898, “General Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” requires all federal agencies to incorporate environmental justice into their missions by identifying and addressing the disproportionately high and/or adverse human health or environmental effects of their programs and policies on minorities and low-income populations and communities. According to the Environmental Protection Agency, environmental justice is the

...fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

The goal of ‘fair treatment’ is not to shift risks among populations, but to identify potentially disproportionately high and adverse effects, and identify alternatives that may mitigate these impacts.

The City of Corpus Christi has both minority and low-income populations; however, environmental justice was dismissed as an impact topic in this EA/AoE for the following reasons:

- The Park staff and planning team actively solicited public participation as part of the planning process and gave equal consideration to all input from persons regardless of age, race, income status, or other socioeconomic or demographic factors.
- Implementation of the preferred alternative would not result in any identifiable adverse human health effects. Therefore, there would be no direct or indirect adverse effects on any minority or low-income population.
- The impacts associated with implementation of the preferred alternative would not disproportionately affect any minority or low-income population or community.
- Implementation of the preferred alternative would not result in any identified effects that would be specific to any minority or low-income community.
- The impacts to the socioeconomic environment resulting from implementation of the preferred alternative are expected to be beneficial over the long term. In addition, Park staff and the planning team do not anticipate the impacts on the socioeconomic environment to appreciably alter the physical and social structure of nearby communities.

ALTERNATIVES

INTRODUCTION

This chapter describes the no action alternative and the preferred alternative for construction of a new law enforcement headquarters in the Malaquite Visitor Center parking lot. Under the no action alternative, a new law enforcement headquarters would not be constructed and the Park would continue to use the existing structure. The preferred alternative was developed to improve the efficiency and effectiveness of Park law enforcement operations, while protecting and preserving Park natural and cultural resources.

The preferred alternative presents the NPS preferred management action and defines the rationale for the action in terms of resource protection and management, visitor and operational use, cost, and other applicable factors. Other alternatives that were considered but eliminated from detailed analysis are discussed in this chapter. Also included in this chapter is a comparison of how well the alternatives meet the project objectives and a summary comparison of the environmental effects of each of the alternatives.

NO ACTION ALTERNATIVE

Under the no action alternative, a new law enforcement headquarters would not be constructed. The Park would continue to use the modular structure in the Malaquite Visitor Center parking lot for law enforcement operations (Figure 3). The existing 1,920-square-foot building does not have the capacity to adequately accommodate law enforcement staff, equipment, and vehicles, and was not designed to meet the specialized needs for law enforcement operations. Thus, portions of law enforcement operations would continue to be housed at Park headquarters about 2-miles north of the existing law enforcement structure. Components of law enforcement operations that would remain at Park headquarters include the armory, secured storage, evidence room, tactical training, fire truck storage, and equipment storage. Current issues associated with the dispersed location of vehicles and equipment, secured storage for vehicles, maintaining building security, processing detainees, employee and visitor safety, coordinating with other law enforcement agencies, and protection of staff and equipment from extreme weather conditions would not be addressed.

The no action alternative provides a basis for comparison with the preferred alternative and the respective environmental consequences. Should the no action alternative be selected, the Park Service would respond to future needs and conditions without major actions or changes in the present course.

PREFERRED ALTERNATIVE

The preferred alternative provides for construction of a new two-story 6,600-square-foot law enforcement headquarters located immediately north of the existing law enforcement facility in the Malaquite Visitor Center parking lot (Figure 3). The new facility would replace the 1,920 square feet of space the current facility provides, plus the additional space needed

to transfer law enforcement equipment and storage from the Park headquarters to the new facility. Law enforcement vehicles currently stored in the garage at Park headquarters (about 400 square feet of space) would be used to store and protect other Park vehicles from the corrosive salt spray. Other storage space scattered in Park headquarters (about 500 square feet) would be reallocated for various uses by Park maintenance, administration, and operations staff. The existing modular law enforcement building would be removed and salvaged as feasible once then new facility is constructed.

The proposed facility would consolidate law enforcement staff, equipment, and vehicles in one location to improve operational efficiency. The upper level of the new facility would contain a large conference room (muster room), ranger offices, evidence processing and storage, an armory, a permitting/clerk office, remittance office, and other storage and workspace. The lower level would include a prisoner holding cell, a sally port, tactical training room, which would also serve as a storm shelter for about 100 people, and secure/enclosed vehicle storage bays for a fire truck and emergency patrol vehicles. The prisoner holding cell would be a Department of Interior Department Manual-446 compliant prisoner management area. The facility would be designed to withstand a three-second gust of 140 miles per hour and the storm shelter would withstand a three-second gust of 200 miles per hour. The law enforcement headquarters would be designed with many sustainable elements such as photovoltaics, high-efficiency lighting, low water use plumbing, natural daylighting, use of local and recycled materials, and a highly efficient building envelope.

FIGURE 3. EXISTING LAW ENFORCEMENT HEADQUARTERS WITHIN VISITOR CENTER PARKING LOT



The exterior site plan includes a fenced area on the east and south sides of the building for secured storage of ranger vehicles, visitor parking on the north side of the building, and removal of parking lot asphalt to create vegetated islands for improved aesthetics and stormwater retention.

The need for a new law enforcement headquarters was identified after the previous modular facility was destroyed by fire in January 2005. The destroyed facility was replaced with the current modular building. The initial concepts for an updated visitor center design began with a design charrette in November 2010, where preliminary design strategies and ideas for development of a new facility were identified by the Park and DSC staff, consulting architects, and landscape architects. The results of the charrette were used to develop preliminary design concepts. The design process was guided by goals developed by Park staff to meet the purpose and need objectives described in the first chapter.

The proposed law enforcement facility would improve operating conditions and would be constructed according to the requirements needed for law enforcement to support the enforcement mission. The new building would alleviate safety concerns in case of storm conditions. Specific components of the proposed site plan and building design are described below.

Site Plan

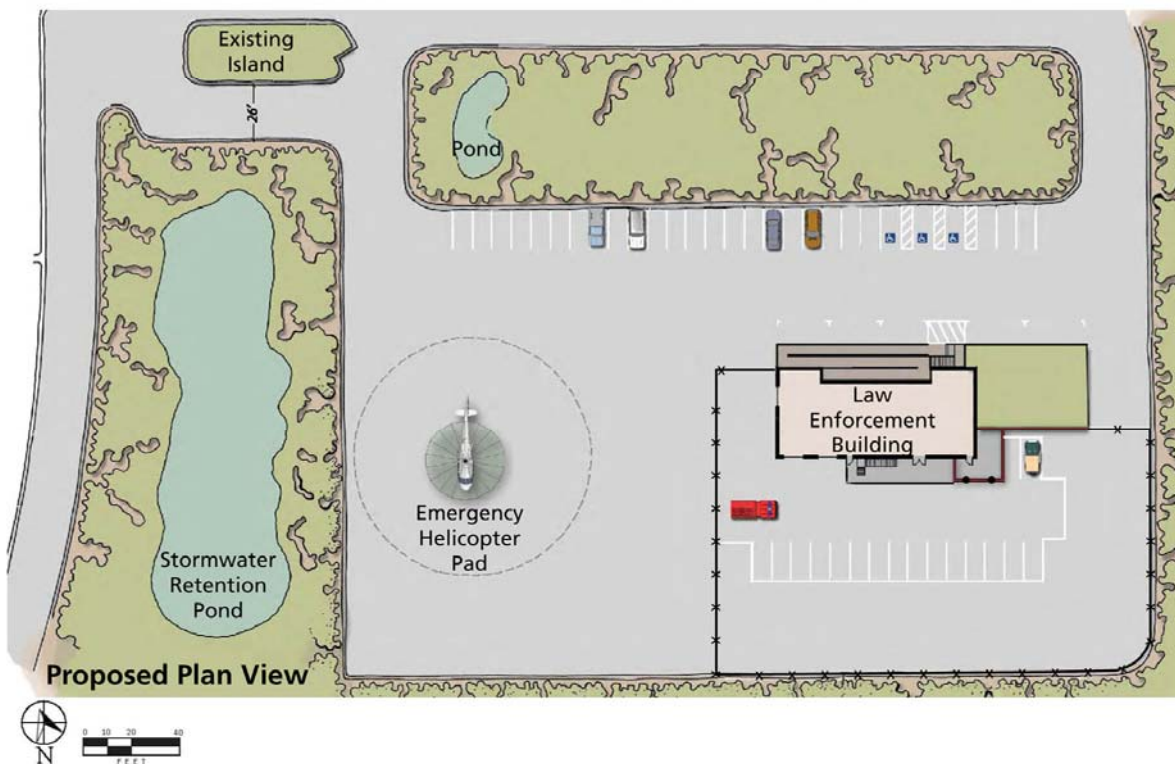
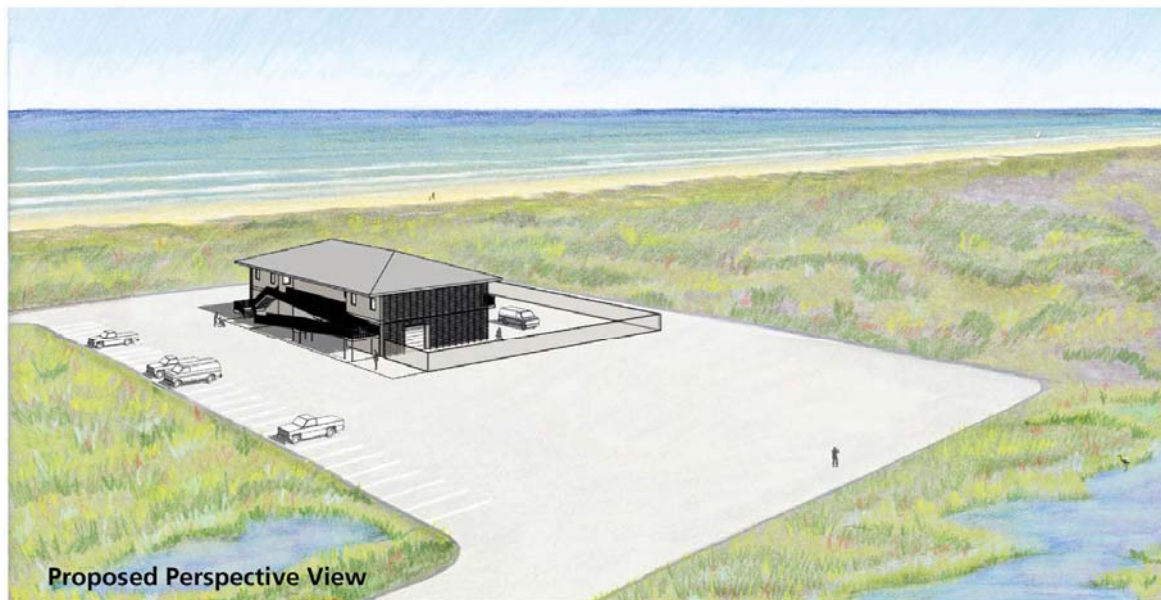
The new law enforcement headquarters would be located on the south end of the Malaquite Visitor Center parking lot just to the north of the existing modular structure currently used for law enforcement operations (Figure 4). This would allow the existing structure to continue to be used until the new building is constructed. The project area for the proposed facility and adjacent landscape features encompasses 3.25 acres entirely within the existing parking lot. The proposed location is at a relatively high elevation in the Park, which provides some protection from storm surges and flooding, including possible sea level changes associated with climate change. The building design includes public access on the north side. The south and west sides would be enclosed by a 6-foot-high cedar fence with two electronic chain link gates on the west and east sides of the secured area. Within this secured area would be a sally port (secured entrance) that would provide additional security and entrance into the building. The area between the parking stalls and fence provides a place for regular outdoor tactical law enforcement training that is screened from public view.

Circulation, Parking, and Accessibility

The new building and associated landscape features would be located entirely within an existing asphalt parking lot. The site layout includes 46 public parking spaces—16 on the north side of the building, including 2 accessible parking spaces, and 30 spaces adjacent to the proposed vegetated island to the north. An accessible ramp would be located on the north side of the building for visitor and staff access.

The enclosed area would be part of the perimeter security, which would include the areas outside of the facility; the perimeter may include sidewalks, parking lots, closed circuit TV, exterior lighting, and the perimeter fencing. The secured area on the south side of the building would have 19 parking spaces for Park staff and rangers. The sally port would accommodate one large vehicle. The secured parking area and gates are sufficient to allow access of a bus or fire truck. There would be no modification to the existing roads or circulation into the visitor center parking area. There would be a reduction of 160 parking

FIGURE 4. PROPOSED SITE PLAN



Source: Anderson and Hallas 2011.

spaces in the visitor center section of the parking lot, although 65 parking spaces would be designated in the law enforcement section of the parking lot. This was not considered a concern because the parking lot would still have more than adequate parking for current visitor use and future growth.

Landscape Vegetation

The proposed site plan includes constructing three separate vegetated areas, with water quality treatment incorporated into two of the islands (Figure 4). The landscape islands would provide physical separation of the law enforcement facility and the visitor center with some visual screening. The landscape area adjacent to the east side of the building would be planted with native plants. An approximate 0.5-acre landscape island would be constructed north of the law enforcement building parking area. This would entail removing the existing asphalt, constructing a curb that would allow water from the parking lot to enter the island, importing topsoil, and planting the area with native grasses and forbs. The landscape island would be graded to drain to the west and collect in a small basin from which the water would be conveyed by an underground pipe to the water retention pond to be constructed in the landscape island to the west. This island would be about 0.7 acre and would include a 2,800-square-foot stormwater retention pond. The pond would be up to 3 feet deep and would have a storage capacity of about 4,200 cubic feet, which would capture about 90 percent of the average annual rainfall. The pond would be constructed with a bottom layer of 18 inches of sand/pea gravel, 8 inches of coarse aggregate gravel, and a layer of native soil. Any overflow from the pond would be directed to the west in the same overland route as the current drainage flow. It is anticipated the pond would provide sufficient hydrology for the establishment of wetland vegetation. Lands bordering the pond could be revegetated with native plants such as sweet bay, oak, and black willow, as well as wetland forbs and grasses.

The asphalt area between the new building and stormwater pond would be used as an emergency helicopter pad, similar to current operations.

Building Design

Law Enforcement Building Features and Layout

The new building would be 6,600 square feet distributed equally on two floors. The upper floor would be constructed to an elevation of about 12 feet above the adjacent grade and would be accessed from the outside via an exterior stairway and an accessible ramp (Figure 5). The first floor of the building would be constructed with concrete walls and the upper floor would be wood framed with a concrete floor. The decks, ramps, and stairs would be constructed in the local “wharf” fashion with treated or synthetic wood similar to the visitor center. The building would have a comprehensive fire protection and security system.

The structure would be designed to withstand hurricanes, tornados, and storm surges. Ranger offices, including the chief ranger and supervising ranger offices, would be located on the upper floor. This floor would have a large conference room for staff meetings and coordination with the Padre Island Homeland Security Task Force, which includes more than 17 different federal, state, and local agencies. Space would be allocated for an armory,

evidence processing and storage, a copy room, file storage, and restrooms. An office for a clerk would be near the public entrance door, and a secure remittance room would be on the south side of the building.

The lower level would house a tactical training center, which also would serve as a storm shelter. The first floor would include room for conducting interviews and a prisoner management area. An enclosed garage on the first floor would provide secure storage out of the weather for a fire truck, a dune buggy, and two emergency patrol utility vehicles that are currently stored at Park headquarters. The first floor also would have space for equipment storage and mechanical and electrical facilities.

FIGURE 5. LAW ENFORCEMENT BUILDING ENTRY ON THE NORTH SIDE



Sustainable Design

According to *NPS Management Policies 2006*, the Park Service would strive to construct facilities with sustainable designs and systems to minimize potential environmental impacts. Development would not compete with or dominate the Park's features, or interfere with natural processes, such as the seasonal migration of wildlife or hydrologic activity associated with wetlands.

The Park Service continuously strives to reduce consumption of resources, use renewable resources, reduce pollutants, and educate Park visitors about environmental stewardship. The design and management of the new facility would emphasize environmental sensitivity in construction, use of nontoxic materials, resource conservation, recycling, and integration with the existing settings. The design includes measures to reduce and conserve energy and eliminate waste by using energy-efficient and cost-effective technology. The use of renewable

energy sources was also a component of the new facility. The new facilities would be constructed to achieve a “silver” level certification, under the U.S. Green Building Council’s Leadership in Energy and Environmental Design for New Construction (LEED-NC), Version 2009. Sustainable design features that would contribute to energy and water conservation and enhancement of the user experience include:

- A building orientation along the east-west axis to maximize winter solar gain and to minimize summer solar gain
- A wooden trellis feature on the east and west elevations to assist in shading the building on its most solar exposed elevations, along with a deep roof overhang
- Rooftop solar photovoltaic system
- Solar domestic water heater
- Potential use of wind turbines as an alternative energy source
- High performance glazing for windows
- High efficiency indoor lighting fixtures
- Water efficient plumbing fixtures
- Use of local and recycled building material
- Stormwater retention basin to capture and remove suspended solids
- Landscaping that does not require irrigation

Facility Construction and Cost

Construction of the new law enforcement headquarters and adjacent landscaping would require heavy equipment for the removal of about 1.8 acres of existing asphalt. Excavation and earthwork would be needed for construction of the building foundation and excavation of the water quality retention pond and general site grading. About 6,000 cubic yards of weed-free topsoil would be imported for use in establishing 1.2 acres of vegetation in the landscape islands. Construction vehicles, equipment, and materials staging would be confined to the existing parking lot where the new facility would be located. The building would be constructed first, and then the adjacent landscaping, pond, new pavement, and other exterior facilities would be completed. All restoration would follow guidelines approved by Park staff. Any fill material needed beyond that produced from construction activities would be taken from approved sources outside the Park. Any excess material generated from construction activities would be stockpiled in Park storage areas for future use in approved projects or disposed of at approved sites outside the Park.

A variety of sediment-control measures, such as slit fence and sediment-control logs would be implemented during construction as listed in Table 3. Utility work would require new connections to existing water, sanitary, and electrical service present on the site and eventual removal of utility lines to the modular structure. Once the new building is completed, the existing modular building would be removed and the remaining site work completed.

The estimated construction cost of the proposed facility is about \$3.4 million. The timing for construction depends on securing adequate funding.

RESOURCE PROTECTION MEASURES

To prevent and minimize potential adverse impacts associated with the preferred alternative, BMPs and resource protection measures would be implemented during the construction and post-construction phases of the project (Table 3).

TABLE 3. RESOURCE PROTECTION MEASURES

Resource Area	Mitigation
General Considerations	<p>Construction zones would be identified with construction fence, silt fence, or some similar material prior to any construction activity. The fencing would define the construction zone and confine activity to the minimum area required for construction. All protection measures would be clearly stated in the construction specifications and workers would be instructed to avoid conducting activities beyond the construction zone. Disturbances would be limited to areas inside the designated construction limits. No machinery, equipment, or disturbance activities would be allowed in natural dunes or sensitive resource areas outside the construction limits. In addition, the Park Service would ensure that all contractors and subcontractors are informed that damage to resources outside the scope of work is subject to prosecution, fine, restitution costs, and other penalties.</p> <p>Construction equipment staging would occur in the existing parking lot, other areas of proposed disturbance, and areas of existing disturbance. Off-site equipment and vehicle parking would be limited to designated staging areas.</p> <p>Contractors would be required to properly maintain construction equipment (i.e., mufflers and brakes) to minimize noise. Construction vehicle engines would not be allowed to idle for extended periods.</p> <p>Construction workers and supervisors would be informed about the special sensitivity of the Park's values, regulations, and appropriate housekeeping.</p> <p>Material and equipment hauling would comply with all legal load restrictions.</p> <p>All tools, equipment, barricades, signs, surplus materials, and rubbish would be removed from the project work limits upon project completion.</p>
Park Operations	The law enforcement headquarters would achieve a "silver" level certification under LEED-NC, Version 2009 to reduce electricity consumption and promote sustainable design features.
Human Health and Safety	<p>The construction area for the law enforcement facility would be cordoned off to protect visitors from construction equipment and activities.</p> <p>In the event of a large storm or hurricane that could flood the proposed law enforcement headquarters, all Park staff and visitors would be evacuated.</p>
Visitor Use and Experience	<p>Construction activities would be scheduled to minimize construction-related impacts on visitors. The visitor center would remain accessible throughout construction.</p> <p>Visitors would be informed in advance of construction activities via a number of outlets including the Park website, newspaper, and visitor center. The Park public information officer would coordinate with the contractor on the construction schedule, and update visitors and information sources periodically on construction work to inform visitors of the project status.</p>
Visual Resources	The law enforcement headquarters would be designed to blend in with the existing surroundings, visitor center, and landscape using a compatible building design similar to the visitor center and adding vegetated areas to the landscape bordering the new facility.
Water Resources	Erosion-control BMPs for drainage and sediment control, as identified and used by the Park Service, would be implemented to prevent or reduce nonpoint source pollution and minimize soil loss and sedimentation in drainage areas. These practices may include, but are not limited to, silt fencing, filter fabric, coir logs, temporary sediment ponds, sandbags, and/or other material to minimize sedimentation as a result of construction activities.

Resource Area	Mitigation
	<p>Soil cast aside during construction would also be susceptible to some erosion, although such erosion would be minimized by placing silt fencing around the excavated soil. Silt fencing fabric would be inspected weekly or after every major storm. Accumulated sediments would be removed when the fabric is estimated to be approximately 75 percent full. Excavated soil may be used in the construction project; excess soil would be stored in approved areas.</p> <p>All soils borrowed would be sterile, as well as certified archeologically sterile and weed free. Any excess material generated from construction activities would be stockpiled in Park storage areas for future use in approved projects or disposed of at approved sites outside the Park.</p> <p>Regular site inspections would be conducted to ensure that erosion-control measures are properly installed and functioning effectively.</p> <p>A stormwater pollution prevention plan (SWPPP) would be developed and approved by the Park Service, and submitted to the Texas Commission on Environmental Quality prior to commencing construction.</p> <p>All equipment would be maintained in a clean and well-functioning state to avoid or minimize contamination from fluids and fuels. Prior to starting work each day, all machinery would be inspected for leaks (e.g., fuel, oil, and hydraulic fluid) and all necessary repairs would be made before commencing work.</p> <p>A hazardous spill plan would be required from the contractor prior to the start of construction stating what actions would be taken in the case of a spill and preventive measures to be implemented. Hazardous spill clean-up materials would be on-site at all times. This measure is designed to avoid/minimize the introduction of chemical contaminants associated with machinery (e.g., fuel, oil, and hydraulic fluid) used in project implementation.</p> <p>Fueling of all construction equipment would be conducted only in equipment staging areas. During the operation of equipment, some petrochemicals could seep into the soil. To minimize this possibility, equipment would be checked frequently to identify and repair any leaks.</p> <p>A stormwater retention basin would be constructed to capture sediment and improve the quality of stormwater discharges from the law enforcement parking lot.</p> <p>The Park would continue to prohibit driving, fires, camping, and other disturbances in the dunes and fore dunes to protect native vegetation communities and maintain these natural barriers to ensure the protection of existing and proposed facilities from washover and rapid recovery of these areas after storm events.</p>

Resource Area	Mitigation
Vegetation / Wetlands	<p>Temporary barriers would be used to protect existing plants and root zones adjacent to the construction site as needed.</p> <p>To prevent the introduction of, and minimize the spread of, nonnative vegetation and noxious weeds, the following measures would be implemented during construction:</p> <ul style="list-style-type: none"> • Disturbance would be confined within the existing asphalt parking area and other previously disturbed areas; • All equipment would be inspected by resource staff before entering the Park; • All construction equipment would be pressure washed and/or steam cleaned before entering the Park to ensure that all equipment, machinery, rocks, gravel, and other materials are clean and weed free; • All haul trucks bringing fill materials from outside the Park would be covered to prevent seed transport; • Vehicle and equipment parking would be limited to within construction limits or approved staging areas; • All fill, rock, and topsoil obtained from sources outside the Park would be taken from weed-free sources; and • Monitoring and follow-up treatment of exotic vegetation would occur after project activities are completed. <p>To avoid introduction of exotic plant species, no hay bales would be used to control soil erosion. Hay often contains seeds of undesirable or harmful alien plant species. Therefore, on a case-by-case basis, the following materials may be used for any erosion-control dams that may be necessary: rice straw, straws determined by the Park Service to be weed-free (e.g., appropriate straw material), cereal grain straw that has been fumigated to kill weed seed, and wood excelsior bales. Standard erosion-control measures such as silt fences and/or sand bags would also be used to minimize potential soil erosion.</p> <p>Native plant species would be used for landscaped areas and the stormwater retention basin.</p>
Floodplains	<p>The project design would minimize potential risk to lives and property. The law enforcement headquarters would not be built in a 100-year coastal flood area or 100-year floodplain, and would not affect nearby 100-year coastal flood or floodplain areas.</p> <p>Structures and facilities would be designed to be consistent with the intent of the standards and criteria of the National Flood Insurance Program (44 CFR 60). Design of the building would be based on ASCE Flood Resistant Design and Construction (ASCE-24-05) requirements to provide protection from flooding.</p> <p>Natural drainage and natural contours would be preserved to the extent practicable.</p> <p>Removal of 1.76 acres of asphalt and replacement with vegetation and a stormwater pond would reduce runoff, increase infiltration, and collect stormwater.</p> <p>Preventive measures would be implemented to reduce coastal erosion, retreat and subsidence in the Park.</p> <p>Mitigation for very large storm events that could flood the proposed law enforcement headquarters would be evacuation of the Park, including all staff and visitors to the law enforcement headquarters.</p>
Air / Noise	<p>Dust control, such as spraying water on the construction site, would occur as needed on active work areas where dirt or fine particles are exposed.</p> <p>Construction equipment/vehicles would not be allowed to idle longer than 15 minutes when not in use.</p>

Resource Area	Mitigation
Cultural Resources	<p>A NPS-approved archeologist would be on-site during construction to advise or take appropriate actions should any archeological resources be uncovered during construction.</p> <p>If during construction previously unknown archeological resources were discovered, all work in the immediate vicinity of the discovery would be halted until the resources could be identified and documented and, if the resources cannot be preserved in situ, an appropriate mitigation strategy would be developed in consultation with the state historic preservation office and, as necessary, American Indian tribes.</p> <p>In the unlikely event that human remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered during construction, provisions outlined in the Native American Graves Protection and Repatriation Act (25 USC 3001) of 1990 would be followed. If non-Indian human remains were discovered, standard reporting procedures to the proper authorities would be followed, as would all applicable federal, state, and local laws.</p> <p>The Park Service would ensure that all contractors and subcontractors are informed of the penalties for illegally collecting artifacts or intentionally damaging archeological sites or historic properties. Contractors and subcontractors also would be instructed on procedures to follow if previously unknown archeological resources are uncovered during construction.</p>

ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED ANALYSIS

Alternative Law Enforcement Headquarter Locations

The Park Service considered several alternative locations within the Park as part of the evaluation for a new law enforcement headquarters. As described below, none of these locations had the advantages identified for the preferred alternative location in the visitor center parking lot. Thus, these alternative locations were dismissed for the reasons noted.

Park Headquarters

The Park headquarters is about 2 miles north of the current law enforcement building. The previous law enforcement facility was at Park headquarters before it was destroyed by fire. The headquarters complex already contains a number of buildings and parking is limited. Because of the limited space, construction of a new building at this location could require construction on previously undisturbed areas. Law enforcement response for incidents to the south would be greater and a building located within the Park headquarters complex would be confusing for visitors seeking a permit or trying to locate the law enforcement office. The Park headquarters location provided no advantages to the preferred location near the visitor center.

Shooting Range and Sanitary Sewer Treatment Area

The shooting range and sanitary sewer treatment area is about 0.5 mile southwest of the visitor center. A law enforcement facility at this location would provide some distance from the salt spray that corrodes equipment. However, this location would require upgrades to the existing dirt access road, which would result in impacts to wetlands and native vegetation.

This location would require additional substantial costs for both upgrading and widening the existing road and extending utilities. The site would result in less public visibility of law enforcement presence and would be more difficult for visitors to access for permits and other inquiries.

North Side of Malaquite Visitor Center

Siting the law enforcement facility on the north side of the visitor center would likely cause some confusion to visitors because they would have to pass by the law enforcement facility before reaching the visitor center. There would be less flexibility to control access and traffic in this area because it is closer to the visitor center parking lot entrance where there is more congestion. This site also lacks the space for a defined parking area without encroaching on the parking spaces used for the visitor center. Constructing the law enforcement facility at this location could have negative impacts to the shower area, the night sky observatory, and recently reclaimed wetlands. Extension of water, power, and sanitary sewer lines would be needed.

West Side of Visitor Center Parking Lot

Siting the law enforcement facility on the west side of the visitor center parking lot would provide slightly more direct access off Park Road 22 and greater distance from salt spray. Because of the lower elevation, this area would be more susceptible to flooding and would not provide the opportunity for constructing a water quality control pond. A new building at this location would not have the advantage of providing some screening of the existing VIP recreational vehicle (RV) site from the visitor center parking lot.

Wilson Pad

The Wilson pad site is just outside of the north beach entrance on previously disturbed land. Use of this site would require improvements to the existing gravel road and connection to utilities about 200 yards away. The primary disadvantage of this location is the 4- to 5-mile distance from the main visitation area and the extended time law enforcement rangers would need to respond to incidents. This site is outside of the Park entry and the associated camera surveillance. Because of the proximity to the beach, vehicles and equipment would be more exposed to corrosive salt sprays.

South Beach

Possible law enforcement building locations south of the visitor center were not considered viable because of the remote location, limited accessibility due to a lack of roads and utilities, and the need for four-wheel drive vehicles to drive along the beach.

Outside of Floodplain

The entire National Seashore is within a floodplain so it is not feasible to locate the new law enforcement facility outside of a floodplain and remain within the park. The preferred alternative was located outside of the 100-year floodplain to minimize the potential for flooding, but the facility would be located within a 500-year floodplain. A law enforcement facility located outside of a floodplain would have to be located on the mainland outside of the park, which would be too distant for performing law enforcement and emergency service operations. Thus, this alternative was eliminated from further consideration.

Alternative Law Enforcement Headquarters Design Concepts

A Value Analysis Study Workshop was held in the Park in February 2011 to consider three alternative building design concepts. All of the alternative design concepts were for the same location at the existing modular law enforcement structure, but included variations in building size, floor plan, and design. One alternative considered a two-story 2,800-square-foot facility that would provide for minimum law enforcement needs and the option for future build-out of the first floor. This concept was not preferred because it did not address the immediate needs and space requirements for improving the efficiency of law enforcement operations and did not meet all of the project objectives. A second concept considered construction of two 1-story buildings adjacent to each other. A 3,559-square-foot law enforcement building would house ranger staff and other primary office and storage space and the second 2,316-square-foot building would serve as a garage and tactical training room/storm shelter. This concept would provide easy building access, but it would not be as operationally efficient as a single structure.

The building design concepts were evaluated using the Choosing by Advantages process, where the decisions are based on the importance of advantages between the concepts. The process involved the identification of the attributes or characteristics of each concept relative to the evaluation factors. Each of the alternative building concepts offered different advantages in relation to a number of evaluation factors including protecting cultural and natural resources, providing for visitor enjoyment, improving the efficiency of Park operations, and providing cost-effective and environmentally responsible development. The Park determined that the building design and site layout previously described as the preferred alternative had the best overall combination of features and, therefore, it was included for detailed evaluation in this EA/AoE. The other alternative design concepts were dismissed from further consideration.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

The CEQ defines the Environmentally Preferred Alternative as "...the alternative that will promote the national environmental policy as expressed in the National Environmental Policy Act § 101." Section 101 states that, "...it is the continuing responsibility of the Federal Government to:

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

2. Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
3. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
4. Preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment, which supports diversity and variety of individual choice;
5. Achieve a balance between population and resource use, which will permit high standards of living and a wide sharing of life's amenities; and
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources."

The identification of the "Environmentally Preferred Alternative" was based on an analysis that balances factors such as physical impacts on various aspects of the environment, mitigation measures to deal with impacts, and other factors including the statutory mission of the Park Service and the purposes for the project.

While the no action alternative would preserve existing conditions, it would not be considered the Environmentally Preferred Alternative because it would not provide law enforcement staff with sufficient space in a safe and secure environment to carry out their responsibilities to protect Park staff, visitors, and resources. The no action alternative would not meet environmental goals in the same manner as the preferred alternative. The no action alternative is not the Environmentally Preferred Alternative for the following reasons: 1) although it would not meet the goal of improving resource protection, it would meet the stewardship responsibility for guarding Park resources, just not as efficiently as if all law enforcement operations were in one location (goal 1); 2) it would not provide for improved health and safety and protection of natural and cultural resources (goals 2, 3, 4); and 3) it would not improve energy efficiency and reduce the use of nonrenewable resources (goal 6). Thus, the no action alternative does not fully meet the provisions of NEPA Section 101 goals 1, 2, 3, 4, and 6.

The Park Service determined that the Environmentally Preferred Alternative should implement the improvements described for the preferred alternative because it surpasses the no action alternative in realizing the full range of national environmental policy goals, as stated in Section 101 of NEPA. The preferred alternative would provide the widest range of beneficial uses without degradation, and would fulfill the Park's stewardship responsibility by constructing a new law enforcement facility that would allow Park law enforcement rangers to improve their ability to protect historic, cultural, and natural resources. In addition, construction of the new facility within an existing area of disturbance would avoid impacts to Park resources (goals 1 and 4). Consolidation of law enforcement resources at a single location with adequate space for operational needs would allow Park rangers to better fulfill their responsibilities to protect Park staff and visitors. The new facility also would provide better security, improved safety, and protection from severe weather (goals 2 and 3). The preferred alternative would improve the efficiency of Park operations by providing a centralized location for staff, equipment, and vehicles, and the building would be constructed with renewable energy sources and sustainability concepts (goals 5 and 6).

ALTERNATIVES COMPARISON TABLE

A comparison of the alternatives and the degree to which each alternative fulfills the needs and objectives of the proposed project is summarized in Table 4.

TABLE 4. ALTERNATIVES COMPARISON AND HOW EACH ALTERNATIVE MEETS PROJECT OBJECTIVES

Objective	No Action Alternative	Preferred Alternative New Law Enforcement Headquarters
Improve the Efficiency of Park Law Enforcement and Other Emergency Service Operations	Under the no action alternative, the law enforcement headquarters would not be constructed. Park rangers would continue to use the existing modular structure in the Malaquite Visitor Center parking lot as headquarters. There would be no improvements in law enforcement efficiency and operations. The fire truck, utility vehicles, search and rescue supplies, and other law enforcement facilities would remain at Park headquarters 2 miles away. Response to fires, search and rescue, and other incidents requiring equipment or vehicles at Park headquarters would be delayed compared to having all of the equipment and vehicles at a single facility. Law enforcement rangers would have inadequate office space to carry out their duties in a structure that does not comply with applicable law enforcement regulatory requirements for training, security, evidence and firearm storage, and containment of prisoners. Law enforcement staff would lack adequate space for group meetings with other law enforcement agencies. The no action alternative would not meet the objective of improving the efficiency of Park law enforcement and other emergency service operations.	Under the preferred alternative, the Park Service would construct a new law enforcement headquarters in the Malaquite Visitor Center parking lot. The proposed facility would consolidate law enforcement staff, equipment, and vehicles in one location and would provide sufficient space for law enforcement rangers and equipment to improve operational efficiency. The preferred alternative fulfills project objectives by providing a centralized law enforcement facility to support staff, equipment, vehicles, law enforcement and other emergency service functions, including search and rescue, emergency medical service, and wildland fire fighting. Response to incidents that require retrieval of equipment or vehicles located at Park headquarters would be improved compared to the no action alternative. The facility would ensure that Park law enforcement operations comply with applicable regulatory requirements for training, building security, evidence and firearm storage, containment of prisoners, and would provide the space for improved coordination with other law enforcement agencies. The law enforcement headquarters would be designed with many sustainable elements to minimize energy use. The preferred alternative fulfills the project objective to improve the efficiency of Park law enforcement and emergency service operations.

Objective	No Action Alternative	Preferred Alternative New Law Enforcement Headquarters
Protection of Human Health and Safety	Under the no action alternative, there would be no improvement in the ability of law enforcement staff to respond to incidents of criminal activity, drug smuggling, and illegal immigrant traffic to better ensure the safety of Park visitors and staff. The existing facility would not provide shelter from storms. Visitors would still be able to access the existing law enforcement facility for permits and needs, but not in as safe or inviting environment as a new facility would provide. The no action alternative would not meet the objective to improve the protection of human health and safety.	Under the preferred alternative, law enforcement staff's ability to provide for visitor safety would be improved with a consolidated facility that allows Park rangers to better respond to criminal activity, drug smuggling, and illegal immigrant traffic. The new facility would include a storm shelter with a capacity for at least 100 persons during severe weather. Visitors would have a convenient accessible location to secure permits, report emergencies, and interact with Park rangers. The preferred alternative would meet the objective to improve the protection of human health and safety.
Protect Park Resources	Under the no action alternative, the ability of law enforcement staff to respond to incidents or activities throughout the Park that threaten Park natural and cultural resources would not be improved. The no action alternative would not meet the objective to improve law enforcement staff's ability to protect Park resources.	Under the preferred alternative, with consolidated resources at a new law enforcement facility, Park rangers would be able to more efficiently respond to incidents that threaten Park natural and cultural resources. The preferred alternative would meet the objective to improve the ability of law enforcement staff to better protect Park resources.

IMPACT SUMMARY

A summary of potential environmental effects for the alternatives is presented in Table 5.

TABLE 5. IMPACT SUMMARY TABLE

Impact Topic	No Action Alternative	Preferred Alternative New Law Enforcement Headquarters
Park Operations	Under the no action alternative, there would be a parkwide long-term moderate adverse impact on the ability of law enforcement rangers to efficiently perform their duties for protection of visitors, staff, and Park resources. In addition, continued use of the existing structure would have a local long-term moderate adverse impact on the cost and maintenance requirements for keeping this facility operational. The cumulative effects would be parkwide, long-term, minor, and adverse.	Construction of a new law enforcement building would result in a short-term minor disruption in Park operations in the visitor center parking lot. The new facility would have a parkwide long-term moderately beneficial effect on Park operations from the improvements in the work environment of law enforcement staff and the improved operational efficiency of having law enforcement operations at a consolidated location. Cumulative effects would be parkwide, long-term, and moderately beneficial.
Human Health and Safety	The no action alternative would have a parkwide long-term minor adverse impact on human health and safety because of deficiencies with the current law enforcement structure and the dispersed location of equipment, facilities, and vehicles that affect response to incidents.	A new law enforcement building with adequate space for consolidating and improving the efficiency of law enforcement operations would have a parkwide long-term moderately beneficial effect on human health and safety. Human health and safety also would benefit from a storm shelter.

Impact Topic	No Action Alternative	Preferred Alternative New Law Enforcement Headquarters
	<p>Coordination with other law enforcement agencies would remain difficult because of the lack of meeting space. In addition, the current structure provides limited protection to Park staff from storms or high winds. Cumulative effects would be parkwide, long-term, minor to moderate, and adverse with a noticeable adverse contribution from this alternative.</p>	<p>Cumulative effects would be parkwide, long-term, minor, and beneficial with a substantial beneficial contribution from the preferred alternative.</p>
Visitor Use and Experience	<p>Not constructing a new law enforcement headquarters would have a parkwide long-term minor adverse impact on visitor use and experience as a result of delayed ranger response to incidents from dispersed law enforcement operations that impedes the ability to efficiently meet visitor needs. Visitor use or perceptions may continue to be affected by border-related crimes in the Park and exposure to law enforcement response to crimes. The potential for Park closures of high public use areas may occur because of illegal activity, which would affect the visitor experience. Overall, Park actions and facilities provide parkwide long-term beneficial cumulative effects to visitor use and experience, with a parkwide long-term minor adverse contribution from the no action alternative.</p>	<p>The new law enforcement headquarters would result in a local short-term minor adverse effect to the quality of the visitor experience from construction activities adjacent to the Malaquite Visitor Center, but would not affect access to recreation at the visitor center or elsewhere in the Park. The new law enforcement headquarters would have a parkwide long-term and minor beneficial effect on visitor use and experience from improved visitor access to Park rangers and a new facility that improves the efficiency of law enforcement rangers to maintain a quality visitor experience. Cumulative effects would be parkwide, long-term, and moderately beneficial.</p>
Water Resources	<p>The no action alternative would have a local long-term negligible adverse impact on the volume and quality of the runoff from the existing law enforcement building and adjacent parking lot to surrounding lands. Cumulative effects would be parkwide, long-term, minor to moderate, and adverse, with a negligible contribution from the no action alternative.</p>	<p>Replacement of 1.2 acres of asphalt with vegetated islands and a water retention pond would have a local long-term minor beneficial effect on water quality by reducing impervious area, improving infiltration of runoff, and capturing sediment and other contaminants from parking lot runoff. Cumulative effects to water resources would be parkwide, long-term, minor, with a local long-term minor beneficial contribution from the preferred alternative.</p>
Floodplains	<p>The no action alternative would have no adverse impact on coastal flood areas or floodplains and there would be no cumulative effects.</p>	<p>Construction of the law enforcement headquarters would have no adverse effect on 100-year coastal flood areas or 100-year floodplains on the National Seashore and there would be no cumulative effects.</p>

AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

INTRODUCTION

This chapter provides a description of the resources potentially impacted by the alternatives and the likely environmental consequences. It is organized by impact topics that were derived from internal Park and external public scoping. Impacts are evaluated based on context, duration, intensity, and whether they are direct, indirect, or cumulative. The “Affected Environment” section describes only those environmental resources that are relevant to the decision being made and does not describe the entire existing environment, but only those environmental resources that could be affected by the alternatives if they were implemented. This section, in conjunction with the description of the “no action” alternative, forms baseline conditions for determining the environmental impacts of the proposed action.

GENERAL METHODS

This section contains the environmental impacts, including direct and indirect effects, and their significance for each alternative. The analysis is based on the assumption that the mitigation measures and BMPs identified in the “Resource Protection Measures” section of this EA/AoE would be implemented for the preferred alternative. Overall, the Park Service based these impact analyses and conclusions on the review of existing literature and Park studies, information provided by experts within the Park, other agencies, professional judgment and Park staff insights, and public input.

The following terms are used in the discussion of environmental consequences to assess the impact intensity threshold and the nature of impacts associated with each alternative.

Type: Impacts can be beneficial or adverse.

Context: Context is the setting within which an impact would occur, such as local (in the project area near the existing law enforcement headquarters), parkwide (National Seashore), or regional (Nueces County, Texas).

Impact Intensity: Impact intensity is defined individually for each impact topic. There may be no impact, or adverse impacts may be negligible, minor, moderate, or major. Beneficial effects are those that have a positive change in the condition or appearance of the resource or a change that moves the resource toward a desired condition.

Duration: Duration of impact is analyzed independently for each resource because impact duration is dependent on the resource being analyzed. Depending on the resource, impacts may last for the construction period, a single year or growing season, or longer. For purposes of this analysis, impact duration is described as short-term or long-term.

Direct and Indirect Impacts: Effects can be direct, indirect, or cumulative. Direct effects are caused by an action and occur at the same time and place as the action. Indirect effects are

caused by the action and occur later or farther away, but are still reasonably foreseeable. Direct and indirect impacts are considered in this analysis, but are not specified in the narratives. Cumulative effects are discussed on page 42.

Threshold for Impact Analysis: The duration and intensity of effects vary by resource. Therefore, the definitions for each impact topic are described separately. These definitions were formulated through the review of existing laws, policies, and guidelines; and with assistance from Park staff and regional NPS and Washington office NPS specialists. Impact intensity thresholds for negligible, minor, moderate, and major adverse effects are defined in a table for each resource topic.

CUMULATIVE EFFECTS

Cumulative impacts are defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or nonfederal) or person undertakes such other actions” (40 CFR 1508.7). Cumulative effects can result from individually minor, but collectively significant, actions taking place over a period of time. The CEQ regulations that implement NEPA require assessment of cumulative impacts in the decision-making process for federal projects.

Methods for Assessing Cumulative Effects

Cumulative impacts were determined by combining the impacts of either the preferred or no action alternative with other past, present, and reasonably foreseeable future actions. Therefore, it was necessary to identify other ongoing or reasonably foreseeable future projects near the Park or the surrounding region that might contribute to cumulative impacts. The geographic scope of the analysis includes actions near the project area at the Malaquite Visitor Center parking lot, as well as other actions in the Park or surrounding lands where overlapping resource impacts are possible. The temporal scope includes past actions that have influenced the current condition of the resource and reasonably foreseeable actions within a range of approximately 10 years in the future. The geographic scope for this analysis includes actions within the Park boundaries.

Past, present, and reasonably foreseeable future actions were then assessed in conjunction with the impacts of the alternatives to determine if they would have any added adverse or beneficial effects on a particular resource, Park operation, human health and safety, or visitor use. The impact of reasonably foreseeable actions would vary for each of the resources. Cumulative effects are considered for each alternative and are presented in the environmental consequences discussion for each impact topic.

Past Actions

Padre Island National Seashore’s development consists of the Malaquite Visitor Center and concession facility, the Park headquarters, two Park residences, a 40-site RV and tent campground, a hazardous waste facility, a wastewater treatment facility, Bird Island Basin

and Yarborough Pass visitor use areas, a 185-foot communications monopole, and a 1-mile paved Grasslands Nature Trail. The paved, two-lane Park Road 22 provides access into the Park, westward to Bird Island Basin, and south to the Gulf of Mexico beach. The beach then becomes the primary transportation corridor, 60 miles to the south end of the Park. The beach surface is hard and accessible by both two- and four-wheel-drive vehicles for the first 5 miles, at which point the remaining 55 miles of beach is accessible only by four-wheel-drive vehicles. In total, existing Park development occupies approximately 400 acres or 0.3 percent of the Park. The previous law enforcement facility was destroyed by fire in 2005, which precipitated the need for the current temporary modular facility and the need for a new facility capable of supporting all of the law enforcement functions.

The Park Service does not own the subsurface rights to the land that encompasses Padre Island National Seashore. Instead, private individuals own these rights, and may grant access to oil and gas companies to explore for and extract these minerals. Thus, oil and gas companies must be allowed access to portions of the Park where subsurface minerals are present. The 2000 Oil and Gas Management Plan (NPS 2000) for the Park guides the management of activities associated with the exploration and development of nonfederal oil and gas within the Park. The Oil and Gas Management Plan identifies those Park resources and values most sensitive to oil and gas development disturbances and defines impact mitigation requirements to protect such resources and values. The plan establishes performance standards for oil and gas exploration and development and it provides pertinent information to oil and gas owners and operators to facilitate compliance with applicable regulations. A number of well pads and access roads have been constructed within the Park and are at various stages of operation or reclamation. Oil and gas exploration is an ongoing activity that is expected to continue for the foreseeable future.

Past actions near the proposed law enforcement headquarters include the development of the Malaquite Visitor Center and parking lot and installation of the existing modular law enforcement structure. The existing large visitor center parking lot was constructed in 1969 with the expectation of a greater number of visitors than what the Park currently experiences. Thus, in 2008, 2.3 acres of asphalt on the north side of the parking lot were removed and the site was restored to natural vegetation. Several structures, including an on-site ranger house, VIP campsite for visiting Park staff/volunteers, and a pump station are just south of the visitor center parking lot.

Current and Future Actions

Several new developments or management actions in the Park are planned in the future:

- The Park is proposing to expand the existing sea turtle lab at Park headquarters and construct two backcountry sea turtle patrol cabins at mileposts 30 and 50 along the south beach.
- A study is currently underway to evaluate options to improve human safety and reduce current and possible future impacts of vehicle use along the south beach on visitors, Park staff, and wildlife. The results of this investigation may lead to changes in traffic management.

- Oil and gas development in the Park will continue to occur in the future in accordance with the 2000 Oil and Gas Management Plan. Activities would include construction of well pads, roads, and pipelines, as well as abandonment and reclamation measures for previously completed facilities.
- Drug smuggling and illegal immigrant activity are expected to be a continuing concern along the Texas coast including the National Seashore.
- Other ongoing Park operations such as prescribed fires and maintenance of roads and Park facilities could contribute to impacts on Park resources.

IMPACTS TO CULTURAL RESOURCES AND SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT

In this EA/AoE, impacts to cultural resources were evaluated consistent with the regulations of the CEQ that implement NEPA. The impact analysis is intended to comply with the requirements of both NEPA and Section 106 of the NHPA. Under the Advisory Council's regulations, a determination of either adverse effect or no adverse effect must also be made for affected national register eligible cultural resources. An adverse effect occurs whenever an impact alters, directly or indirectly, any characteristic of a cultural resource that qualify it for inclusion in the national register (e.g. diminishing the integrity of the resource's location, design, setting, materials, workmanship, feeling, or association). Adverse effects also include reasonably foreseeable effects caused by the preferred alternative that would occur later in time, be farther removed in distance or be cumulative (36 CFR Part 800.5, Assessment of Adverse Effects). A determination of no adverse effect means there is an effect, but the effect would not diminish in any way the characteristics of the cultural resource that qualify it for inclusion in the national register. In accordance with the Advisory Council on Historic Preservation's regulations implementing Section 106 of the NHPA (36 CFR Part 800, Protection of Historic Properties), no impact to cultural resources were identified for the preferred alternative.

A Section 106 summary is included in the "Impact Topics Dismissed from Further Analysis" in the "Purpose and Need Chapter" for each of the categories of cultural resources. The Section 106 Summary is intended to meet the requirements of Section 106 and is an assessment of the effect of the undertaking (implementation of the alternative) on cultural resources, based upon the criterion of effect and criteria of adverse effect found in the Advisory Council's regulations. The project finding is found in the "Agency Consultation" section of the "Consultation and Coordination" chapter on page 66.

PARK OPERATIONS

Affected Environment

The Park superintendent is responsible for managing the National Seashore, its staff and residents, all of its programs, and its interactions with persons, agencies, and organizations interested in the Park. Park staff provides the full scope of functions and activities to

accomplish management objectives and meet requirements of Park protection, emergency services, human health and safety, science, resource protection and management, interpretation and education, utilities, and management support. Currently, there are 70 full-time employees supplemented by temporary/seasonal staff, whose duties and assignments are distributed among six operational divisions within the Park.

The Ranger Division of the Park is responsible for law enforcement activities, which includes assisting in resource protection, visitor safety services, and Park protection. Law enforcement actions serve to minimize risk to people, property, and the barrier island environment. Law enforcement staff currently consists of 14 full-time rangers, 1 clerical position, and 1 fee supervisor. Two to three seasonal rangers are generally present during the summer months. Law enforcement staff has a wide range of duties including patrolling the 65 miles of beach; enforcing traffic laws; search and rescue; first response to hazardous material issues; wildfire response; incident command for disasters; contraband interdiction; and coordinating with other federal, state, and local law enforcement agencies on drug smuggling and illegal immigration. In addition, Park law enforcement rangers with emergency medical services technician (EMT) training respond to traffic accidents and other medical emergencies in the Park and coordinate with other medical services outside the Park. Law enforcement staff is in contact with Park visitors throughout the Park and visitors or groups come to the law enforcement building to secure permits; however, the law enforcement headquarters does not have the space to adequately accommodate visitor inquiries.

Park Road 22 leads to the Park and provides access to North Beach, Novillo Line Camp, Park headquarters, Bird Island Basin, and the Malaquite Visitor Center complex before terminating just south of Malaquite Beach, 0.5 mile south of the visitor center. The visitor center and the adjacent beach are the most popular destinations at the Park. The visitor center serves as the center of operations at the Park for visitor orientation, interpretation programs, interpretive displays, and concessions. A concessioner adjacent to this facility sells general merchandise to Park visitors. The primary access to the visitor center and the current law enforcement structure consists of a short driveway off Park Road 22 (Figure 1). A secondary road provides additional access. The existing 6-acre asphalt parking lot at the visitor center currently provides more than adequate parking for visitors and is rarely more than half full even on busy weekends.

As previously described under the “Project Need” section on page 5, the existing law enforcement headquarters is in a modular trailer located on the south side of the visitor center parking lot. This facility does not have the capacity to adequately accommodate law enforcement staff, equipment, and supplies; and was not designed to meet the specialized needs for law enforcement operations. Several vital components of law enforcement operations such as the armory, secured storage, evidence room, tactical training, and equipment storage are located at Park headquarters about 2 miles north of the law enforcement headquarters because there is not space for these facilities in the modular structure. Performance of law enforcement responsibilities requires the use of an assortment of resources such as patrol vehicles, utility vehicles, fire truck, dune buggy, patrol boat, firefighting equipment, search and rescue supplies, surveillance equipment, medical response supplies, weapons and ammunition, radios, and other communication equipment. Currently, many of these items are located at Park headquarters because there is insufficient storage at the existing law enforcement building and must be retrieved before responding to incidents.

In addition, law enforcement vehicle parking is located inside the fence at Park headquarters because there is no secure parking area at the law enforcement building. Thus, response to some incidents is delayed because rangers have to collect equipment and vehicles stored at Park headquarters prior to responding. Because there is no secured storage for vehicles, expensive law enforcement equipment cannot be left in vehicles without risk of vandalism or theft.

There is insufficient space to keep temporary detainees separate from the public and staff in the existing modular structure. As a result, operation security and employee safety is compromised in the current office arrangement. There is no long-term detainment facility at the current law enforcement structure. Planning and briefing sessions with partnering law enforcement agencies is often hampered because of inadequate space for holding secure meetings and coordinating operations. Meetings with other law enforcement agencies are often held at the Park headquarters lunchroom or superintendent's office, which do not have adequate space for large groups. The existing 1,920-square-foot law enforcement facility does not meet the minimum square footage requirements (2,500 square feet) for a Department of Interior (DOI) Level II Security Facility based on the number of staff. In addition, the modular structure was not designed to resist the extreme weather conditions that sometimes occur in the Park. There is no protection for vehicles from salt spray and the corrosive saline environment. Additional information on law enforcement operations are discussed below in the "Human Health and Safety" section.

Impact Intensity Threshold

Park operations, for the purposes of this EA/AoE, refers to the quality and effectiveness of the infrastructure, and the ability of Park staff to maintain the infrastructure used in the operation of the Park to protect and preserve vital resources and provide for a high-quality visitor experience. Park operations, including staffing, duties, and activities are influenced by the quality of facilities. The study area for evaluating impacts to Park operations includes the entire Park, with emphasis on Park facilities at the existing law enforcement headquarters and Park headquarters. The thresholds of change for the intensity of an impact to Park operations are described in Table 6.

TABLE 6. PARK OPERATIONS IMPACT AND INTENSITY THRESHOLDS

Impact Intensity	Intensity Description
Negligible	Adverse: The effects would be at low levels of detection and would not have appreciable effects on Park operations. Beneficial: The action would slightly improve the quality of Park infrastructure, ability of Park staff to maintain the infrastructure, and performance of law enforcement and emergency response functions.
Minor	Adverse: The effects would be detectable and would be of a magnitude that would not have appreciable effects on Park operations. If mitigation is needed to offset adverse effects, it would be simple and likely successful. Beneficial: The action would noticeably improve the quality of Park infrastructure, ability of Park staff to maintain the infrastructure, or performance of law enforcement functions.

Impact Intensity	Intensity Description
Moderate	<p>Adverse: The effects would be readily apparent and would result in a change in Park operations that would be noticeable to Park staff and the public. Mitigation measures would be necessary to offset adverse effects and would likely be successful.</p> <p>Beneficial: The action would substantially improve the quality of Park infrastructure, the ability of Park staff to maintain the infrastructure, and performance of law enforcement and emergency response functions.</p>
Major	<p>Adverse: The effects would be readily apparent, would result in a substantial change in Park operations in a manner noticeable to staff and the public, and would be markedly different from existing operations. Mitigation measures to offset adverse effects would be needed and extensive, and success could not be guaranteed.</p> <p>Beneficial: The action would exceptionally benefit the quality of Park infrastructure, ability of Park staff to maintain the infrastructure, and performance of law and emergency response enforcement functions.</p>

Short-term impact—effects lasting for less than one year.

Long-term impact—effects lasting longer than one year.

Environmental Consequences

No Action Alternative

Direct and Indirect Impacts of the Alternative. Under the no action alternative, there would be no change in current Park operations or infrastructure. The Park would continue to use the existing modular structure in the visitor center parking lot as the law enforcement headquarters. Several components of law enforcement storage and operations would stay at Park headquarters. The existing modular structure would remain inadequate to support law enforcement rangers, support staff, associated materials, and the equipment necessary to function efficiently. Law enforcement operations would continue to be hampered by having staff, facilities, and equipment at multiple locations. Ranger response to incidents such as wildfire, hazardous material spills, and search and rescue operations would be affected by having to retrieve equipment and supplies from different locations prior to responding. Under the no action alternative, there would be a parkwide long-term moderate adverse impact on the ability of law enforcement rangers to efficiently perform their duties for protection of visitors, staff, and Park resources.

Some vehicles and equipment would remain exposed to the harsh climate or inadequate storage conditions, reducing service life and increasing repair and replacement cost. The existing law enforcement building would remain vulnerable to storms, hurricanes, and flooding. Because of the harsh saline environment, the structural undercarriage of the existing modular structure has significant corrosion and the building has exceeded its anticipated life span. The structural deficiencies would place additional burden on the workload of maintenance staff. Continued use of this structure would have a local long-term moderate adverse impact on the cost and maintenance requirements for keeping this facility operational.

Cumulative Impacts. A variety of past actions has contributed to the current condition of the infrastructure in the Park and the ability of law enforcement staff to perform their duties. The loss of the previous law enforcement building to fire and subsequent use of a modular structure for law enforcement staff in the visitor center parking lot has affected law

enforcement operations as well as maintenance requirements. Increased drug smuggling and illegal immigrant activity in the area has necessitated adding more law enforcement staff. The popularity of the Park and the number of visitors to the south end of the island also has contributed to the demands on law enforcement staff. Future oil and gas operations, prescribed fires, recreational activities, drug smuggling, and illegal immigrant traffic would continue to place a burden on law enforcement staff and facilities. Past, present, and reasonably foreseeable future projects would have parkwide long-term minor adverse effects on Park operations. Cumulative effects would be parkwide, long-term, minor, and adverse, with a noticeable adverse contribution from the no action alternative.

Conclusion. Under the no action alternative, there would be a parkwide long-term moderate adverse impact on the ability of law enforcement rangers to efficiently perform their duties for protection of visitors, staff, and Park resources. In addition, continued use of the existing structure would have a local long-term moderate adverse impact on the cost and maintenance requirements for keeping this facility operational. The cumulative effects would be parkwide, long-term, minor, and adverse.

Preferred Alternative—Law Enforcement Headquarters Construction

Direct and Indirect Impacts of the Alternative. Construction of new law enforcement headquarters would allow consolidation of all law enforcement staff, equipment, storage, and vehicles at one central location. This would entail relocating the evidence room, armory, tactical training area, fire truck, equipment, and other supplies and vehicles from the Park headquarters to the new building. This consolidation would substantially improve the efficiency of law enforcement operations. The Park's law enforcement staff would have a safe and secure environment with the necessary workspace to carry out their law enforcement, emergency medical services (EMS), wildland fire responsibilities, and search/rescue. The new building would provide an improved working environment for law enforcement staff that meets current health and safety standards. The new building would eliminate office overcrowding and increase productivity by providing adequate space for rangers to work. The new building would comply with NPS requirements for tactical training, storage of equipment, and policies for physical protection, building security, and temporary containment of prisoners.

Lighting, ventilation, heating, and cooling would be improved in the new building. The new facility would provide a more secure environment for Park staff and protection of Park vehicles and equipment. The building would be designed with consideration for a longer life cycle than the current structure, which has exceeded its life span and is expensive to maintain. Energy-efficient measures and LEED concepts would be integrated into the design of the building. These sustainable design measures would minimize operational costs compared with the high maintenance cost of the existing structure. Construction of the new facility would help protect vehicles that are currently stored outdoors and exposed to the island's extremely saline environment, which accelerates their deterioration from rust and corrosion. The new enclosed security fence outside the new building would secure patrol vehicles from vandalism, theft, and the environment. Landscaped vegetation would not require irrigation and native species would be planted to minimize maintenance requirements. Maintenance of the water quality control pond may require periodic removal

of accumulated sediment. Maintenance of the landscape features would have a local long-term negligible adverse effect on costs and staff time.

The new facility would remedy an unsuitable evidence storage room and firearm storage room currently located at Park's headquarters by designating a functionally acceptable location with restricted access area in the new building. Office space would provide an area for evidence management as well as ample storage space for contraband, weapons, ammunition, and sensitive data. Currently the division responds to more than 700 law enforcement calls per year and approximately 100 EMS calls per year. Response to both law enforcement and emergency service calls would improve, since all the equipment and supplies would be centralized in the new building instead of being scattered at multiple locations. A larger facility would meet the requirements of a DOI Level II Security Facility.

Law enforcement staff would continue to use the existing modular structure until the new building is completed. Construction activities would cause some disruption and inconvenience to staff from noise and disturbances. Operations elsewhere in the Park would not be disrupted from construction of the building, although staff time would be required for coordinating construction. The visitor center would remain open during construction and ample parking would remain available.

Implementation of the preferred alternative would have a local short-term minor adverse impact on Park operations from construction-related activities. Consolidation of law enforcement operations at a single location would improve the efficiency of Park rangers to perform their duties and would have a long-term moderately beneficial effect on Park operations. The minor increase in maintenance requirements with a new facility and improvements in the protection and storage of Park vehicles and equipment would support a parkwide long-term beneficial improvement in the quality of Park operations. Extensive maintenance of the existing law enforcement would no longer be required.

Cumulative Impacts. A variety of past actions has contributed to the current condition of the infrastructure in the Park and the ability of law enforcement staff to perform their duties. The loss of the previous law enforcement building to fire and subsequent use of a modular structure for law enforcement staff in the visitor center parking lot has affected law enforcement operations as well as the maintenance requirements of the structure. Increased drug smuggling and illegal immigrant activity in the area has necessitated adding more law enforcement staff. The popularity of the Park and the number of visitors to the south end of the island also has contributed to the demands on law enforcement staff. Continued future oil and gas operations, prescribed fires, recreational activities, drug smuggling, and illegal immigrant traffic would continue to place a burden on law enforcement staff and facilities. The existing fore dunes would provide some protection of the existing law enforcement building and a new facility from high-energy storms and sea-level rise potentially associated with climate change. However, rising ocean levels and/or increased storm intensity have the potential to affect the life span of the proposed new facility and maintenance requirements. Past, present, and reasonably foreseeable future projects would have parkwide long-term minor adverse effects on Park operations. Cumulative effects would be parkwide, long-term, and moderately beneficial, with a substantial beneficial contribution from the preferred alternative.

Conclusion. Construction of a new law enforcement building would result in a short-term minor disruption in Park operations in the visitor center parking lot. The new facility would have a parkwide long-term moderately beneficial effect on Park operations from the improvements in the work environment of law enforcement staff and the improved operational efficiency of having law enforcement operations at a consolidated location. Cumulative effects would be parkwide, long-term, and moderately beneficial.

HUMAN HEALTH AND SAFETY

Affected Environment

The health and safety of Park visitors, staff, and neighbors are of great importance to the Park Service. The Park receives approximately 600,000 to 700,000 visitors annually (NPS 2011a). Park facilities are currently open all but two days of the year. Therefore, Park personnel, including law enforcement rangers, are present throughout the year to respond to the safety needs of staff and visitors. The Park is subject to a variety of health and safety concerns due to its remoteness, size, and recent increases in criminal activity.

Traffic safety is particularly important because of the many visitors who use the approximately 65-mile-long beach as a road to travel down the seashore. However, travel for two-wheel-drive vehicles is limited to surfaced roads and the northern 5 miles of South Beach, where the sand is compacted. This prevents access to the down-island portion of the Park for most visitors, contributes to overcrowding, and conflicts with other vehicles and pedestrians. The number of four-wheel-drive vehicles on the beach and visitors traveling to the southern portion of the island has increased in recent years and visitor/vehicle conflicts, accidents, beach debris hazards, and protection of bird and sea turtles are of concern.

Park visitors assume some risks in visiting and using back-island and down-island beach areas of the Park due to the remoteness of the area, limited ranger presence, and slow responses due to the difficulty of driving along the beach. Illegal immigrants have approached and intimidated or robbed visiting campers to secure food and water. Undocumented immigrants are also frequently found exhausted, dehydrated, injured, or suffering from a variety of medical problems. Education and outreach to protect human health and safety include information posted on the Park's website, at entrance kiosks and trailheads, and at the visitor center alerting visitors to the dangers of severe weather, wildfires, and red/brown tides, as well as turtle nesting seasons.

A chemical storage building at Park headquarters and the hazardous materials storage building, just south of the visitor center are currently the only structures at the National Seashore that provide shelter during storms or high winds. These buildings are the only available shelter for Park employees, Park residents and their families, and visitors. Additional shelter is needed at the National Seashore to improve safety during storm events.

Park rangers are often first responders when hazardous materials wash up on the beach before the Park's hazardous materials team addresses cleanup. Characterization, management, and removal of hazardous waste materials are handled by the Park's hazardous materials team and hazardous waste contractors. Protocols for safe handling and disposal of these wastes are covered in the Park's site health and safety plan, which includes measures to

inform and protect the public. Confiscated drugs are the responsibility of other federal, state, or local law enforcement agencies outside the National Seashore, which typically remove the material using qualified law enforcement personnel or other qualified government personnel.

Park law enforcement rangers have a wide range of responsibilities including protecting Park staff and visitors, protecting Park natural and cultural resources, and public education. Park rangers are responsible for enforcement of criminal laws through investigation, apprehension, education, and detention of individuals suspected or convicted of violating laws. Crimes in the Park can range from driving under the influence and other traffic violations, theft, vandalism, illegal hunting of wildlife, hazardous material violations, and personal crimes against Park visitors or staff. In recent years, drug smuggling and illegal immigrant incidents have been of increasing concern. Investigation of crimes requires interviewing witnesses, interrogating suspects, maintaining evidence, and coordination with other law enforcement agencies. Park rangers respond to a variety of incidents including search and rescue operations, emergency medical services, wildland and structural fires, hazardous material spills, natural disasters, terrorist threats, and other emergencies.

Hurricanes and extreme tropical storms are a known cause of elevated sea level, storm surge, and extensive shoreline erosion and other geologic effects, which can result in a potential increase in loss of human life and property damage. Massive beach-face erosion, overwash and shoreline movement because of these high-energy storm events in coastal areas and barrier islands can pose a risk to property and human life. The Park has an evacuation plan in the event of a hurricane or storm event to protect Park staff and visitors (NPS 2011b).

Impact Intensity Threshold

Human health and safety refers to the ability of the Park Service to provide a healthy and safe environment for visitors and Park staff, to protect human life, and to provide for injury-free visits and appropriate responses when accidents and injuries occur. The study area for evaluating impacts to human health and safety includes the entire Park. The thresholds of change for the intensity of an impact to human health and safety are described in Table 7.

TABLE 7. HUMAN HEALTH AND SAFETY IMPACT AND INTENSITY THRESHOLDS

Impact Intensity	Intensity Description
Negligible	Adverse: The effects would be at low levels of detection and would not have appreciable effects on human health and safety. Beneficial: The action would slightly improve human health and safety and the ability of Park staff to maintain a safe environment for Park staff and the public.
Minor	Adverse: The effects would be detectable and would be of a magnitude that would not have appreciable effects on human health and safety. If mitigation is needed to offset adverse effects, it would be simple and likely successful. Beneficial: The action would noticeably improve human health and safety and the ability of Park staff to maintain a safe environment for Park staff and the public.
Moderate	Adverse: The effects would be readily apparent and result in a change in human health and safety that would be noticeable to Park staff and the public. Mitigation measures would be necessary to offset adverse effects and would likely be successful. Beneficial: The action would substantially improve human health and safety and the ability of Park staff to maintain a safe environment for Park staff and the public.
Major	Adverse: The effects would be readily apparent, would result in a substantial change in human health and safety in a manner noticeable to Park staff and the public, and would be markedly different from existing operations. Mitigation measures to offset adverse effects would be needed and extensive, and success could not be guaranteed. Beneficial: The action would exceptionally improve human health and safety and the ability of Park staff to maintain a safe environment for Park staff and the public.

Short-term impact—effects lasting for the duration of the treatment action.

Long-term impact—effects continuing after the treatment action.

Environmental Consequences

No Action Alternative

Direct and Indirect Impacts of the Alternative. Under the no action alternative, there would be no change in law enforcement operations that affect human health and safety. Law enforcement rangers would continue to fulfill their responsibilities to protect visitors, staff, and Park resources to the best of their ability. The inadequacy of the existing law enforcement headquarters and the inefficiency of having equipment, vehicles, and storage dispersed at multiple locations would not be addressed. Response to emergencies, search and rescue, wildfire, hazardous material incidents, and other actions requiring immediate attention would not be optimal. Coordinating with Padre Island Homeland Security Task Force agencies would remain hampered because of the lack of adequate space in the current facility to meet and coordinate activities. The ability of Park rangers to respond to drug smuggling and illegal immigrant traffic would not be improved, which poses a risk to visitors and Park staff. Inadequate security in the existing law enforcement building would remain an issue because there is insufficient space to separate detainees from the public and staff and no holding cell.

Although human health and safety would not be compromised if a new law enforcement headquarters consolidating operations is not constructed, there would be a parkwide long-term minor adverse impact on the ability of law enforcement rangers to efficiently provide for human health and safety in the Park. The existing modular law enforcement structure is constructed from trailers that provide limited protection from storms or high winds and, therefore, poses a safety risk to Park staff.

Cumulative Impacts. A number of past and ongoing activities contribute to human health and safety in the Park. Increasing visitor use and vehicle traffic on the beach has led to pedestrian/vehicle accidents and more driving under the influence charges and other traffic violations. Boating accidents, health emergencies, search and rescue operations, and wildfires would continue to be human health and safety concerns that need to be addressed as a component of law enforcement operations. Drug smuggling and illegal immigrant activities have increased in recent years and are anticipated to be a continuing concern. Future management actions, currently under consideration, that regulate vehicle travel on the south beach are anticipated to improve visitor safety. These past, present, and reasonably foreseeable actions would have a parkwide long-term minor to moderate adverse impact on human health and safety. The impacts of the no action alternative, in combination with past, present, and reasonably foreseeable future actions, would result in a parkwide long-term moderate adverse impact to human health and safety. The adverse effects of the no action alternative would be a noticeable component of the overall adverse cumulative effect.

Conclusion. The no action alternative would have a parkwide long-term minor adverse impact on human health and safety because of deficiencies with the current law enforcement structure and the dispersed location of equipment, facilities, and vehicles that affect response to incidents. Coordination with other law enforcement agencies would remain difficult because of the lack of meeting space. In addition, the current structure provides limited protection to Park staff from storms or high winds. Cumulative effects would be parkwide, long-term, minor to moderate, and adverse with a noticeable adverse contribution from this alternative.

Preferred Alternative—Law Enforcement Headquarters Construction

Direct and Indirect Impacts of the Alternative. An improvement in the ability of law enforcement rangers to provide for human health and safety would occur with a new law enforcement structure that consolidates operations at a single location and provides more space for housing vital components for law enforcement operations. The new facility would allow law enforcement rangers to improve response to incidents since all equipment and vehicles would be at the same location. Thus, response to search and rescue operations, wildfires, hazardous material discharges, accidents, and other incidents would be improved. The proposed new law enforcement facility would not be a treatment, storage, or disposal of hazardous waste facility and would not require a Resource Conservation and Recovery Act permit.

Coordinating law enforcement operations with Padre Island Homeland Security Task Force agencies would be improved and would allow the Park to better address drug smuggling and illegal immigrant traffic. Visitor safety and satisfaction are expected to increase as illegal activities are reduced, particularly in the more remote sections of the island to the south. Dedicated space in the new building for interviewing and detaining prisoners would reduce the potential for contact with Park staff and visitors. An on-site armory and secure meeting space in the new building would provide convenient weapons storage and would reduce exposure of Park staff and visitors to tactically armed Park rangers and other law enforcement officers. The storm shelter in the new building would substantially improve

the safety of visitors and Park staff in the building during storm events and would reduce overcrowding in other shelters during emergency weather conditions.

The additional space, consolidation of resources, and improved efficiency of the new law enforcement facility would have a parkwide long-term moderately beneficial effect on human health and safety.

Cumulative Impacts. A number of past and ongoing activities contribute to human health and safety in the Park. Increasing visitor use and vehicle traffic on the beach has led to pedestrian/vehicle accidents and more driving under the influence charges and other traffic violations. Boating accidents, health emergencies, search and rescue operations, and wildfires would continue to be human health and safety concerns that need to be addressed as a component of law enforcement operations. Drug smuggling and illegal immigrant activities have increased in recent years and are anticipated to be a continuing concern. Future management actions, currently under consideration, that regulate vehicle travel on the south beach are anticipated to improve visitor safety. These past, present, and reasonably foreseeable actions would have a parkwide long-term minor to moderate adverse impact on human health and safety. The parkwide long-term moderately beneficial effects of the preferred alternative, in combination with the effects of past, present, and reasonably foreseeable future actions, would provide a substantial contribution to improving human health and safety. Cumulative effects, with the preferred alternative, would be parkwide, long-term, minor, and beneficial.

Conclusion. A new law enforcement building with adequate space for consolidating and improving the efficiency of law enforcement operations would have a parkwide long-term moderately beneficial effect on human health and safety. Human health and safety also would benefit from a storm shelter. Cumulative effects would be parkwide, long-term, minor, and beneficial with a substantial beneficial contribution from the preferred alternative.

VISITOR USE AND EXPERIENCE

Affected Environment

Padre Island National Seashore hosted more than 600,000 visitors in 2010, with most visitors coming between May and August (NPS 2011a). The Park offers a wide variety of experiences from camping to beach activities, and sightseeing. Popular activities in the Park include walking and driving the beach, windsurfing, bird watching, fishing, boating, and biking. Much of the visitor use in the Park is concentrated on the beach, which also serves as an access road to down-island areas.

The Malaquite and Bird Basin campgrounds provide formal campsites with limited amenities. Primitive camping is available along the North Island Beach and South Island Beach. There are no facilities or fees for camping at primitive campsites and they are open to RV and tent camping. All campgrounds are open year-round. Recreational opportunities along the beach include swimming, beachcombing, fishing, bike riding, picnicking, and birding. Laguna Madre on the east side of the Park is shallow saltwater lagoon with a sand bottom popular for windsurfing. Many visitors also explore this portion of the Park for activities such as birding, fishing, kayaking, and swimming. The Grasslands Nature Trail

provides access to the interior of the island and a glimpse of the birds and other wildlife that roam the grasslands. A short trail leads to the Novillo Line Camp, which contains the remains of the Dunn family cattle ranching operation.

Malaquite Visitor Center and the adjacent beach are the most popular destinations at the Park. The visitor center beach is part of Closed Beach, which is a pedestrian-only beach (Figure 6). This popular beach occasionally experiences crowding and a diminished visitor experience on busy weekends and holidays. The visitor center serves as the center of operations at the Park for visitor orientation, interpretation programs, interpretive displays, and concessions. The visitor center includes an information

FIGURE 6. CLOSED BEACH AT THE MALAQUITE VISITOR CENTER



desk, small museum, bookstore, gift shop, first aid station, concession stand, observation decks, restrooms, showers, a small auditorium with interpretive film, and picnic tables. Information on weather, safety, the Park's resources, and the local region can be found at the visitor center. A concessioner adjacent to this facility sells general merchandise to Park visitors. A universally accessible boardwalk connects the visitor center to a swimming beach. Visitors currently access the existing law enforcement structure from the visitor center parking lot for special use permits or other inquiries.

The quality of the visitor experience is currently affected by border-related crimes in the Park and law enforcement response to crimes. Visitor use is sometimes restricted by illegal activities and Park visitors are occasionally direct victims of these activities. In addition, visitor experiences and perceptions may be negatively impacted by witnessing law enforcement activities, which includes use of rangers with tactical weapons.

Impact Intensity Threshold

NPS *Management Policies 2006* state that the enjoyment of Park resources and values by the people of the United States is part of the fundamental purpose of all parks, and that the Park Service is committed to providing appropriate high-quality opportunities for visitors to enjoy the parks. The Park provides a diversity of recreational opportunities and the potential for change in visitor experience was evaluated. The study area for evaluating impacts to visitor use and experience includes the entire Park, with emphasis on the visitor center area adjacent to the existing law enforcement headquarters. The thresholds of change for the intensity of an impact to visitor experience and recreational resources are described in Table 8.

TABLE 8. VISITOR USE AND EXPERIENCE IMPACT AND INTENSITY THRESHOLDS

Impact Intensity	Intensity Description
Negligible	Adverse: Changes in visitor use and experience would be barely perceptible. The visitor would not likely be aware of the effects associated with the action. Beneficial: The action would slightly improve or increase visitor use opportunities and/or experience or would reduce features that impede visitor use and/or experience in the project area.
Minor	Adverse: The visitor might be aware of the effects associated with the action, but would likely not express an opinion about it. Beneficial: The action would noticeably improve or increase visitor use opportunities and/or experience or would reduce features that impede visitor use and/or experience in the project area.
Moderate	Adverse: Changes in visitor use and experience would be readily apparent. The visitor would be aware of the effects associated with the action and would likely express an opinion about the changes. Beneficial: The action would substantially improve or increase visitor use opportunities and/or experience or would reduce features that impede visitor use and/or experience in the project area.
Major	Adverse: Changes in visitor use and experience would be readily apparent and severely adverse. The visitor would be aware of the effects associated with the action and would likely express a strong opinion about the changes. Beneficial: The action would exceptionally improve or increase visitor use opportunities and/or experience or would greatly reduce features that impede visitor use and/or experience in the project area.

Short-term impact—occurs only during project construction.

Long-term impact—continues after project construction is complete.

Environmental Consequences

No Action Alternative

Direct and Indirect Impacts of the Alternative. There would be no change to visitor facilities or recreational opportunities under the no action alternative. The Malaquite Visitor Center parking lot would remain in its current configuration. Visitor use and the quality of the visitor experience would not change. The law enforcement headquarters in the visitor center parking lot would continue to issue permits and remain accessible to visitors needing assistance. Rangers would continue their current level of patrol and law enforcement actions to provide a safe environment for Park visitors. However, the lack of a centralized law enforcement facility affects ranger response to incidents and can impede their ability to efficiently meet visitor needs and provide safe conditions to support the quality of the visitor experience. Visitor use may continue to be impacted by border-related crimes in the Park and exposure to law enforcement responses to crimes. Visitor perceptions may continue to be negatively impacted by witnessing law enforcement activities. The potential for Park closures of high public use areas may occur because of illegal activity, which would affect the visitor experience. There would be a parkwide long-term minor adverse effect on visitor use and experience if a new law enforcement headquarters were not built. For additional information on potential impacts to visitor safety, see the “Human Health and Safety” section.

Cumulative Impacts. A number of improvements to roads, trails, facilities, and enhanced interpretative opportunities have been beneficial to the quality of the visitor experience at the National Seashore. Increased drug smuggling and illegal immigrant traffic have adversely affected the quality of the visitor experience. Future visitor use and activities including

swimming, beach driving, boating, fishing, and camping are likely to continue as they have in the past. The Park is currently evaluating impacts to beach driving, which could result in a change in how visitors experience the Park. Oil and gas development has had limited direct effects on visitors. Prescribed fires, maintenance work, and other activities such as construction of the two backcountry sea turtle cabins would have short-term impacts on visitors. Past, present, and reasonably foreseeable future projects would have parkwide short-term minor adverse impacts and long-term moderately beneficial impacts on visitor use and experience. The parkwide long-term minor adverse impacts to the quality of the visitor experience associated with limitations in current law enforcement operations without a new law enforcement headquarters would be a noticeable adverse component of the overall parkwide beneficial cumulative impact of Park actions to provide a quality visitor experience.

Conclusion. Not constructing a new law enforcement headquarters would have a parkwide long-term minor adverse impact on visitor use and experience as a result of delayed ranger response to incidents from dispersed law enforcement operations that impedes the ability to efficiently meet visitor needs. Visitor use or perceptions may continue to be affected by border-related crimes in the Park and exposure to law enforcement response to crimes. The potential for Park closures of high public use areas may occur because of illegal activity, which would affect the visitor experience. Overall, Park actions and facilities provide parkwide long-term beneficial cumulative effects to visitor use and experience, with a parkwide long-term minor adverse contribution from the no action alternative.

Preferred Alternative—Law Enforcement Headquarters Construction

Direct and Indirect Impacts of the Alternative. Construction of a new law enforcement headquarters would introduce temporary noise and visual disturbance in the Malaquite Visitor Center parking lot from construction equipment and activities. Most visitors explore the visitor center facilities and the adjacent beach on the east side of the visitor center. Construction-related noise could slightly diminish the quality of the visitor experience, although prevailing winds off the ocean and beach surf would minimize noise from the construction site reaching visitor use areas. Access or activity at the Malaquite Campground located along the beach north of the visitor center would not be affected by construction or operation of the law enforcement facility. Visitors would still be able to access the visitor center during construction. A local short-term minor adverse effect on visitor use and experience would occur during construction. Because construction activities would only affect a small portion of the Park, any inconvenience to visitors would not affect visitors at other locations in the Park.

As mentioned in the “Park Operations” section, the visitor center parking lot would have more than adequate capacity for visitors even with use of a portion of the south side of the lot for the law enforcement facility. The front of the law enforcement building would be accessible to Park visitors to obtain permits, contact Park rangers, report emergencies, and other law enforcement needs. The new law enforcement facility would reduce visitor exposure to tactical ranger activities and the ability of rangers to address criminal activities. The potential for visitors to witness criminal activity would diminish, as would the potential for closure of popular public use areas from illegal activity. The improved efficiency of a centralized law enforcement headquarters would provide a parkwide long-term minor

beneficial effect to the quality of the visitor experience by allowing better response to emergencies and accidents, maintaining the quality of the visitor experience, and ensuring that Park visitors have a safe environment.

Cumulative Impacts. A number of improvements to roads, trails, facilities, and enhanced interpretative opportunities have been beneficial to the quality of the visitor experience at the Park. Increased drug smuggling and illegal immigrant traffic have adversely affected the quality of the visitor experience. Future visitor use and activities including swimming, beach driving, boating, fishing, and camping are likely to continue as they have in the past. The Park is currently evaluating impacts to beach driving, which could result in a change in how visitors experience the Park. Oil and gas development has had limited direct effects on visitors. Prescribed fires, maintenance work, and other activities such as construction of the two backcountry sea turtle cabins would have short-term impacts on visitors. Past, present, and reasonably foreseeable future projects would have parkwide short-term minor adverse impacts and long-term moderately beneficial impacts on visitor use and experience. Construction of the law enforcement headquarters would contribute local short-term minor adverse impacts to the visitor experience during construction, but would provide a parkwide long-term minor beneficial effect to the overall parkwide beneficial cumulative effects. The beneficial effects of the preferred alternative would be a noticeable component of cumulative effects.

Conclusion. The new law enforcement headquarters would result in a local short-term minor adverse effect to the quality of the visitor experience from construction activities adjacent to the Malaquite Visitor Center, but would not affect access to recreation at the visitor center or elsewhere in the Park. The new law enforcement headquarters would have a parkwide long-term and minor beneficial effect on visitor use and experience from improved visitor access to Park rangers and a new facility that improves the efficiency of law enforcement rangers to maintain a quality visitor experience. Cumulative effects would be parkwide, long-term, and moderately beneficial.

WATER RESOURCES

Affected Environment

The National Seashore is a dynamic system supporting the longest stretch of undeveloped barrier island beach in the world. It was formed, and is continually being reshaped, by the action of wind and water. Waves and currents move along the gulf shore in shifting patterns, defining the character of different beaches. Beach dunes are stabilized by vegetation and are eroded and reformed by storms. Major storms have at times leveled the protective fore dunes, changing the character and dynamics of this barrier island ecosystem. The natural fore dune environment that extends along the gulf side of the island, including dunes near the visitor center, are important because they help protect existing and future facilities by reducing the potential for washover and minimizing shoreline and dune erosion. Protection, restoration, and enhancement of the dunes and adjacent vegetative habitats also is important because they play an important role in storing floodwaters for periods of time. As discussed in the “Floodplains” section below, the gulf side of the project area is a few

hundred feet from the large fore dune that separates the visitor center parking lot from the beach and the 100-year coastal flood plain.

Three types of water resources are found in the Park: marine waters, fresh or brackish surface waters, and groundwater. Padre Island's groundwater system is locally isolated and is not connected to the mainland aquifer. This groundwater occurs in three distinct zones: hypersaline, freshwater, and seawater. Fresh, shallow groundwater, found at depths from 3 to 15 feet in the north and 3 to 10 feet in the south, exists in the dunes as a lens floating on saline water but is probably not more than a few feet deep below the surface (Withers et al. 2004). Shallow groundwater is lost to evaporation, transpiration (i.e., plant use), and from seepage into the Gulf of Mexico and Laguna Madre. Groundwater is not used for human consumption in the Park (NPS 2000). Freshwater recharge comes solely from precipitation on the island (Withers et al. 2004; Stevens et al. 2003).

No streams or water bodies are in the immediate vicinity of the Malaquite Visitor Center parking lot. There are currently no stormwater management facilities at the parking lot that treat or store runoff. Runoff from the parking lot travels as sheet flow to the west side of the parking lot where it disperses broadly into the adjacent grassland that slopes gently to the west. Areas of standing water may be present seasonally in shallow depressions in the existing area of stormwater discharge until the water infiltrates into the soil and recharges ground water or evaporates. Because the visitor center parking lot is impervious, no ground water recharge occurs within the parking lot. The depth to groundwater below the parking lot is not known, but is likely present from several feet to 10 feet below the surface.

Impact Intensity Threshold

Available information on hydrology and water quality in the project area was compiled. Potential impacts from the alternatives are based on professional judgment, experience with similar actions, and anticipated project disturbance. The study area for evaluating impacts to water resources includes the 3.25-acre project area where the law enforcement headquarters would be constructed and surrounding lands where runoff from the parking lot is discharged. The thresholds of change for the intensity of impacts on water resources are defined in Table 9.

TABLE 9. WATER RESOURCES IMPACT AND INTENSITY THRESHOLDS

Impact Intensity	Intensity Description
Negligible	Adverse: Changes in water quality or hydrology would be barely detectable. Beneficial: The action would slightly improve water quality and natural surface or groundwater flow or patterns, or would reduce features that impede water quality or natural surface or groundwater flow or patterns in the project area.
Minor	Adverse: Changes in water quality or hydrology would be measurable, although the changes would be small. Beneficial: The action would noticeably improve water quality and natural surface or groundwater flow or patterns, or would reduce features that impede water quality or natural surface or groundwater flow or patterns in the project area.
Moderate	Adverse: Changes in water quality or hydrology would be measurable and could exceed desired hydrology or water quality conditions. Beneficial: The action would substantially improve water quality and natural surface or groundwater flow or patterns, or would reduce features that impede water quality or natural surface or groundwater flow or patterns in the project area.
Major	Adverse: Changes in water quality or hydrology would be readily measurable and would have substantial consequences. Beneficial: The action would exceptionally improve water quality or natural surface or groundwater flow or patterns, or would reduce features that impede water quality or natural surface or groundwater flow or patterns in the project area.

Short-term impact—following project completion, recovers in less than one year.

Long-term impact—following project completion, takes more than one year to recover.

Environmental Consequences

No Action Alternative

Direct and Indirect Impacts. There would be no change to water resources under the no action alternative. Stormwater runoff from the visitor center parking lot would continue to flow through existing drainage structures and outlets in a westerly direction. Water either infiltrates into the groundwater or disperses into adjacent vegetated areas. The amount of impervious surface in the parking area would not change. The existing law enforcement building has had a negligible effect on water resources since the roof area of the structure drains directly into the surrounding parking area. Parking lot runoff would continue to convey wind- and vehicle-deposited sediments, as well as oil and grease from parked vehicles. Dispersed runoff from the parking area near the existing law enforcement facility would have a local long-term negligible adverse effect on water quality and hydrology because of the relatively small size of the area and limited water quality contaminants present.

Cumulative Impacts. Water resources in the Park have been adversely affected by actions such as dredging the Laguna Madre in the 1960s, land development in the Park that has increased stormwater runoff and wastewater effluent discharges, vegetation management practices that involve the use of chemicals, and oil and gas operations that result in land disturbances and erosion. The Park's fire management program has had a beneficial effect on water resources by restoring and maintaining native vegetation and soils and reducing erosion. Construction of the visitor center, large asphalt parking area, and adjacent roads substantially increased the impervious surface area and the associated stormwater runoff. Reclamation of 2.3 acres of the parking lot in 2008 reduced the impervious surface and

increased the area for natural infiltration of precipitation. Past, present, and reasonably foreseeable future actions would have short- and long-term minor to moderate adverse impacts to water resources in the Park. The local long-term negligible adverse impact on water resources from the no action alternative would have a slight contribution to the overall parkwide long-term minor to moderate adverse cumulative effects.

Conclusion. The no action alternative would have a local long-term negligible adverse impact on the volume and quality of the runoff from the existing law enforcement building and adjacent parking lot to surrounding lands. Cumulative effects would be parkwide, long-term, minor to moderate, and adverse, with a negligible contribution from the no action alternative.

Preferred Alternative—Law Enforcement Headquarters Construction

Direct and Indirect Impacts. The proposed law enforcement facility would be constructed in the existing asphalt parking lot and would have no direct effect on existing surface water resources. Minor surface grading would be conducted to ensure positive drainage away from the new building. The construction of 1.2 acres of vegetated landscape islands and a water retention basin within the 3.25-acre project area would provide a 37 percent reduction in the amount of impervious surface and volume of runoff. The roof from a larger law enforcement building would not increase impervious surface since the existing structure is within the asphalt parking area. Routing parking lot runoff to the vegetated islands and water quality retention pond would change the timing of discharge into adjacent lands. Water captured in the 4,200-cubic-foot retention pond would be slowly infiltrated into the ground water and evaporated. The pond would serve to capture sediment, oil, grease, and chemicals from the parking lot, which would improve discharge water quality. Construction of vegetated landscape islands in the parking lot with a water retention basin would have local long-term minor beneficial effects to water resources by improving water quality, reducing impervious surface, and controlling the rate of discharge from precipitation events.

Cumulative Impacts. Water resources in the Park have been adversely affected by actions such as dredging the Laguna Madre in the 1960s, land development in the Park that has increased stormwater runoff and wastewater effluent discharges, vegetation management practices that involve the use chemicals, and oil and gas operations that result in land disturbances and erosion. The Park's fire management program has had a beneficial effect on water resources by restoring and maintaining native vegetation and soils and reducing erosion. Construction of the visitor center, large asphalt parking area, and adjacent roads substantially increased the impervious surface area and the associated stormwater runoff. Reclamation of 2.3 acres of the parking lot in 2008 reduced the impervious surface and increased the area for natural infiltration of precipitation. Past, present, and reasonably foreseeable future actions would have short- and long-term minor adverse impacts to water resources in the Park. The local long-term minor beneficial impact on water resources would have a positive contribution to the overall parkwide long-term minor adverse cumulative effects.

Conclusion. Replacement of 1.2 acres of asphalt with vegetated islands and a water retention pond would have a local long-term minor beneficial effect on water quality by

reducing impervious area, improving infiltration of runoff, and capturing sediment and other contaminants from parking lot runoff. Cumulative effects to water resources would be parkwide, long-term, minor, with a local long-term minor beneficial contribution from the preferred alternative.

FLOODPLAINS

Affected Environment

Padre Island National Seashore is located on a largely undeveloped barrier island along the Gulf of Mexico. As a barrier island, the dunes, beaches, and topography of the island are continually reshaped by the action of wind, ocean currents, waves, and storm events. While the fore dunes of the Park provide some protection from hurricanes and tropical storms, the dunes are fragile and can easily be destroyed through erosion and wind action. A line of dunes forming parallel to the beach vary in height from less than 6 feet to about 50 feet above sea level. The proposed law enforcement headquarters would be behind the fore dunes. The elevation of the proposed law enforcement headquarters would be about 17 feet above mean sea level.

The formal designation of the floodplain status of Padre Island National Seashore was initially conducted by FEMA's National Flood Insurance Program on August 17, 1971; and revised on March 1, 1984 and most recently May 4, 1992 (FEMA 1992). Much of the Park is within 100-year flood areas. The existing law enforcement structure and the proposed new law enforcement headquarters are in an area of minimal flooding, with less than a 500-year flood risk (FEMA Zone C) (Figure 7). However, the seaward side of the project area is a few hundred feet from the large fore dune that separates the parking lot from the beach. This is the beginning of FEMA Zone V, an area of 100-year coastal floods with velocity (wave action) and a designated base flood elevation of 9 feet. About 2,500 feet west of the project site is the beginning of an area designated as Zone A, a 100-year floodplain area with a designated base flood elevation of 8 feet. Flooding in the National Seashore can range from minor flooding with inundation of the fore dunes and minor erosion to major flooding from hurricanes that can drive storm surge across the island, removing large sections of the dune line and completely changing the landscape. Although the proposed law enforcement headquarters would be in an area of minimal flooding, hurricanes and large storms can cause storm surges and extensive shoreline erosion that pose a risk to property and human life.

The hurricane season begins June 1 and continues through the end of November. The number of tropical storms each season ranges from 4 to 12, with an average of 10 storms. In 1980, Hurricane Allen, one of the strongest hurricanes in recorded history, landed at the south end of the Park and did extensive damage to the island. The protective fore dunes were reduced to small hills of sand and were scattered as much as 150 feet inland. There were many washovers and large alluvial fans spread across the grasslands away from shore. However, the fore dunes reduced the strength of the wind and inland flow of water.

According to the FEMA map (Figure 7), the base flood elevation in the coastal flood area near the proposed law enforcement headquarters is 9 feet, and the base flood elevation in the floodplain about 2,500 feet to the west is 8 feet. Fresh water wetlands may capture and hold

NOTE: FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES - NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON AND AFTER NOVEMBER 18, 1981 - NOT LISTED AS A HAZARDOUS CONSTRUCTION WITH THE PURPOSE OF THE OTHERS FROM OTHER AREAS

ISLAND

ZONE C

COASTAL BASE FLOOD

ZONE D

ZONE E

ZONE F

ZONE G

ZONE H

ZONE I

ZONE J

ZONE K

ZONE L

ZONE M

ZONE N

ZONE O

ZONE P

ZONE Q

ZONE R

ZONE S

ZONE T

ZONE U

ZONE V

ZONE W

ZONE X

ZONE Y

ZONE Z

PROPOSED NEW LAW ENFORCEMENT HEADQUARTERS

GULF OF MEXICO

2000 0 2000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

KLEBERG COUNTY,
TEXAS
(UNINCORPORATED AREAS)

PANEL 375 OF 575
(SEE MAP INDEX FOR PANELS NOT PRINTED)

THIS MAP INCORPORATES APPROXIMATE BOUNDARIES OF COASTAL HAZARDOUS RESPONSE SYSTEM (CHRS) AND/OR OTHERS PROTECTED AREAS (STIPPLED UNDER THE COASTAL HAZARDOUS RESPONSE SYSTEM) AS OF 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 25

Impact Intensity Threshold

Floodplains are defined by the *NPS Procedural Manual 77-2: Floodplain Management* as “the lowland and relatively flat areas adjoining inland and coastal waters, including flood-prone areas of offshore islands, and including, at a minimum, that area subject to temporary inundation by a regulatory flood.” EO 11988, “Floodplain Management” requires an examination of impacts to floodplains, potential risks involved in placing facilities within floodplains, and protecting floodplain values. The Park Service has adopted the policy of preserving floodplain values and minimizing potentially hazardous conditions associated with flooding (*NPS Procedural Manual 77-2: Floodplain Management*). The study area for evaluating impacts to floodplains includes the project area where the law enforcement facility would be constructed and adjacent lands subject to potential flooding and storm surge. The thresholds of change for the intensity of an impact on floodplains are defined in Table 10.

TABLE 10. FLOODPLAIN FUNCTIONS AND VALUES IMPACTS

Impact Intensity	Intensity Description
Negligible	Adverse: There would be very little change in the ability of a floodplain to convey floodwaters, or its values and functions. The proposed project would not contribute to flooding. Beneficial: The action would slightly improve or restore natural floodplain functions and reduce future flood damage and the risk to life and property in the project area.
Minor	Adverse: Changes in the ability of a floodplain to convey floodwaters, or its values and functions, would be measurable and local, although the changes would be barely measurable. The proposed project would not contribute to flooding. No mitigation would be needed. Beneficial: The action would noticeably improve or restore natural floodplain functions and reduce future flood damage and the risk to life and property in the project area.
Moderate	Adverse: Changes in the ability of a floodplain to convey floodwaters, or its values and functions, would be measurable and local. The proposed project could contribute to flooding. The impacts could be mitigated by modification of proposed facilities in floodplains. Beneficial: The action would substantially improve or restore natural floodplain functions and reduce future flood damage and the risk to life and property in the project area.
Major	Adverse: Changes in the ability of a floodplain to convey floodwaters, or its values and functions, would be measurable and widespread. The proposed project would contribute to flooding. The impacts could not be mitigated by modification of proposed facilities in floodplains. Beneficial: The action would exceptionally improve or restore natural floodplain functions and reduce future flood damage and the risk to life and property in the project area.

Short-term impact—recovery usually takes less than one year; impacts would not be measurable or would be measurable only during the life of construction.

Long-term impact—recovery usually takes more than one year; impacts would be measurable during and after project construction.

Environmental Consequences

No Action Alternative

Direct and Indirect Impacts. The existing law enforcement headquarters would remain in an area of minimal flooding. Although the law enforcement headquarters is within an area that could be flooded from storm surges during large hurricanes, there would be time to warn staff and visitors using the facility to evacuate the area. The risk for flooding would not change from existing conditions. Continued use of the existing law enforcement headquarters would have no effect on floodplain functions or values.

Cumulative Impacts. Although other past, present, and reasonably foreseeable future actions may affect the 100-year coastal flood areas and floodplains in the National Seashore, the no action alternative would have no impact on coastal flood areas and floodplains and, therefore, would not contribute to the effects of other actions. Consequently, there would be no cumulative impacts to coastal flood areas or floodplains under the no action alternative.

Conclusion. The no action alternative would have no adverse impact on coastal flood areas or floodplains and there would be no cumulative effects.

Preferred Alternative—Law Enforcement Headquarters Construction

Direct and Indirect Impacts. The possibility of severe or significant storm events has been taken into consideration during the planning of this project. The lower level of the two-

story structure would be constructed as a slab-on-grade with reinforced concrete and masonry walls supporting the second floor. A storm shelter/community safe room would be on the first floor and would be designed in accordance with FEMA 361 to withstand high winds. The second floor would be about 12 feet above grade and would have an 8-inch concrete slab for building stability and to provide a safe cover for the storm shelter/community safe room. The proposed construction would require excavation of the asphalt and underlying soils for construction of the building foundation. Topographic changes and site disturbance would be minimal. The proposed location is at a relatively high elevation in the Park, which would provide some protection from storm surges. Natural drainage and natural contours would be preserved to the extent practicable. The Park would continue to prohibit driving, fires, camping, and other disturbances in the dunes and fore dunes to protect native vegetation communities and maintain these natural barriers to ensure the protection of existing and proposed facilities from washover and rapid recovery of these areas after storm events.

Construction of the law enforcement headquarters would have no adverse impact on floodplain functions and values within any 100-year coastal flood area or 100-year floodplain because it would be located outside of such areas. However, the seaward side of the project area is within a few hundred feet of the fore dune that marks the boundary of an area of 100-year coastal flood with velocity (wave action). Therefore, in accordance with EO 11988, “Floodplain Management” and DO-77-2: *Floodplain Management*, the Park Service has reviewed the flood hazards for the preferred alternative and prepared a Floodplain Statement of Finding, which is found in Appendix B.

Cumulative Impacts. Although other past, present, and reasonably foreseeable future actions may affect the 100-year coastal flood areas and floodplains in the National Seashore, the preferred alternative would have no impact on coastal flood areas and floodplains and, therefore, would not contribute to the effects of other actions. Consequently, there would be no cumulative impacts to coastal flood areas or floodplains under the preferred alternative.

Conclusion. Construction of the law enforcement headquarters would have no adverse effect on 100-year coastal flood areas or 100-year floodplains on the National Seashore and there would be no cumulative effects.

CONSULTATION AND COORDINATION

INTERNAL SCOPING

Internal scoping was conducted by an interdisciplinary team of professionals from Padre Island National Seashore, DSC staff, consulting architects, and engineers. Team members met multiple times in 2010 and 2011 to discuss the purpose and need for the project, various alternatives, potential environmental impacts, reasonably foreseeable actions that may have cumulative effects, and resource protection measures. The internal scoping process included a Value Analysis (Anderson and Hallas 2011) conducted to evaluate and compare different facility design concepts and site plans.

EXTERNAL SCOPING

External scoping began with a public scoping notice released on January 7, 2011 describing the preferred alternative and soliciting comments or concerns with the proposal to construct a new law enforcement headquarters (Appendix A). The Park sent letters describing the proposed project and asking for comments to more than 70 interested individuals; businesses; organizations; state, county, and local governments; federal agencies; and American Indian tribes. During the 30-day scoping period, the public was given an opportunity to comment on the proposed project using the NPS Planning, Environment, and Public Comment website at <http://parkplanning.nps.gov> or by mailing comments to the Park. The results of scoping are discussed in the “Scoping” section in the “Purpose and Need” chapter.

AGENCY CONSULTATION

The NHPA (16 USC 470 et seq.); NEPA; NPS Organic Act; NPS *Management Policies* 2006; DO-12: *Conservation Planning, Environmental Impact Analysis, and Decision-making* (2001); and DO-28: *Cultural Resources Management Guideline* require the consideration of impacts on cultural resources, either listed in or eligible to be listed in, the national register. In accordance with Section 106 of the NHPA, the state historic preservation office was notified of the proposed project by letter on January 7, 2011. No comments have been received from the state historic preservation office as of the date of this EA/AoE. The Park Service has made a formal determination that no historic properties would be affected from construction of the proposed law enforcement facility or changes in the use of structures at Park headquarters previously occupied by law enforcement staff. The area of potential effect does not contain cultural resources eligible for or listed on the national register. The project would occur entirely within an existing asphalt parking lot. A NPS-approved archeologist would be on-site during construction to advise or take appropriate actions should any historic resources be uncovered during construction. The Park would cooperate with the state historic preservation office to address mitigation if any cultural resources are discovered during site work. This EA/AoE will be submitted to the state historic preservation office for review and comment.

In accordance with the Endangered Species Act, the Park Service contacted the Fish and Wildlife Service by letter on January 7, 2011 to solicit input on threatened and endangered species concerns for the proposed project. The Fish and Wildlife Service will review this EA/AoE to determine if they concur with the Park's findings of no effect or if measures are needed to protect listed species.

Because the proposed facility is located in a coastal area and near a coastal flood area and a floodplain, the Park sent a scoping letter to the Texas General Land Office (GLO). The Park will provide the GLO a copy of the EA/AoE, the Floodplain Statement of Finding, and a Coastal Zone Management Consistency Determination.

While the proposed project would have no effect on wetlands, the Park notified the Corps about proposed plans to establish a wetland within a stormwater retention pond. No 404 permitting is anticipated under Section 404 of the Clean Water Act, but the Park will provide the Corps a copy of the EA/AoE for their review.

NATIVE AMERICAN CONSULTATION

The Tonkawa Native American Tribe was contacted on January 7, 2011 to determine if any ethnographic resources were in the project area and if the tribe wanted to be involved in the environmental compliance process. The Park has not received any written comments from the Tonkawa Tribe as of the date of this EA/AoE. The Tonkawa Tribe also will have an opportunity to review and comment on this EA/AoE.

ENVIRONMENTAL ASSESSMENT REVIEW AND LIST OF RECIPIENTS

This EA/AoE will be released for a 30-day public comment period. To inform the public of the availability of the EA/AoE, the Park Service will publish and distribute a letter or press release to various agencies, tribes, and members of the public on the Park's mailing list, as well as place an ad in the local newspaper. Copies of the EA/AoE will be provided to interested individuals, upon request. Copies of the document will also be available for review at the National Seashore's visitor center and on the internet at <http://parkplanning.nps.gov/pais>.

During the public comment period, the public is encouraged to submit their comments to the NPS address provided on the cover page at the beginning of this document. Following the close of the comment period, all public comments will be reviewed and analyzed prior to the release of a decision document. The Park Service will issue responses to substantive comments received during the public comment period and will make appropriate changes to this EA/AoE, as needed.

LIST OF PREPARERS AND CONTRIBUTORS

National Park Service, Padre Island National Seashore

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Larry Turk, Chief of Facility Management
James Lindsay, Chief of Resource Management
Travis Poulson, Chief Ranger
Wade Stablein, Park Biologist
Tim Thompson, Supervisory Ranger
Scott Martin, Operations Supervisor
Glenda Hammond, Maintenance Supervisor
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Dave Anderson, Architect
Wells Squier, Architect

DHM

Ann Christensen, Landscape Architect

Martin/Martin

Bill Willis

Ambient Energy

Renee Azerbegi
Clayton Bartczak

COMPLIANCE WITH FEDERAL AND STATE REGULATIONS

The Park Service would comply with all applicable federal and state regulations when implementing the preferred alternative to construct the law enforcement headquarters. Permitting and regulatory requirements for the preferred alternative are listed in Table 11.

TABLE 11. ENVIRONMENTAL COMPLIANCE REQUIREMENTS

Agency	Statute, Regulation, or Order	Purpose	Project Application
Federal			
National Park Service	National Environmental Policy Act	Applies to federal actions that may significantly affect the quality of the environment.	Environmental review of preferred alternative and decision to prepare a FONSI or EIS.
	National Historic Preservation Act, Section 106	Protection of historic and cultural resources.	The Park consulted with the state historic preservation office. No adverse effects to cultural resources were identified.
	EO 11990, "Protection of Wetlands"	Requires avoidance of adverse wetland impacts, where practicable, and mitigation, if necessary.	No existing wetlands would be affected by the proposed project.
	EO 11988, "Floodplain Management"	Requires avoidance of adverse floodplain impacts, where practicable, and mitigation, if necessary.	The law enforcement facility would be constructed outside of the 100-year floodplain, although a 100-year coastal flood area is nearby.
	NPS DO-77-2: <i>Floodplain Management</i>	Protection of natural resources and floodplains.	A floodplain statement of finding was prepared because proposed facilities would be located near a 100-year coastal flood area and a 100-year floodplain.
U.S. Army Corps of Engineers	Clean Water Act – Section 404 permit to discharge dredge and fill material	Authorizes placement of fill or dredge material in waters of the U.S. including wetlands.	No wetlands would be affected by the proposed project, but wetlands would be established in a proposed storm water retention pond
U.S. Fish and Wildlife Service	Endangered Species Act	Protection of federally listed threatened and endangered species.	The Park consulted with the Fish and Wildlife Service as part of the NEPA process. No threatened or endangered species impacts were identified.

Agency	Statute, Regulation, or Order	Purpose	Project Application
State of Texas			
Texas General Land Office	Coastal Zone Management Consistency Determination	Review of federal actions to ensure the long-term environmental and economic health of the Texas coast through management of the state's coastal natural resource areas.	A Coastal Zone Management Consistency Determination was prepared and will be submitted as a courtesy to the General Land Office.
Texas Commission on Environmental Quality	Texas Pollutant Discharge Elimination System Stormwater General Permit for Small Construction Activities	Erosion control and protection of water quality.	A stormwater pollution prevention plan would be developed prior to grading and surface disturbances.
	Texas Pollutant Discharge Elimination System General Permit for Construction Dewatering	Water quality protection associated with discharge of intercepted ground water.	A permit application would be submitted if excavation activities would cause the interception and discharge of ground water.

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APPENDIX A
Scoping Announcement and Agency Comments



United States Department of the Interior

RECEIVED FHC MAIL ROOM
FEMA REGION VI
NATIONAL PARK SERVICE
Padre Island National Seashore
P. O. Box 181300
Corpus Christi, Texas 78480-1300



IN REPLY REFER TO:

D20, D3415 (PAIS)

December 6, 2010

Subject: Scoping Notice — Preparation of an Environmental Assessment for Replacement of Law Enforcement Division Headquarters at Padre Island National Seashore

Dear Friends and Neighbors:

The National Park Service is considering replacing the law enforcement division's headquarters building within Padre Island National Seashore (park) (see attached figure). The new law enforcement division headquarters would replace the previous facility that was destroyed by fire in 2005 and the temporary modular facility currently being used in the parking lot at the visitor center. The new facility would be constructed within the footprint of the existing paved surface at the visitor center at the same location as the existing facility and would not result in any new ground disturbance. Several alternative designs and building sizes are currently being evaluated. Ideally, the proposed bi-level facility would support a number of law enforcement functions and provide space for protection ranger staff offices, a muster room for the Padre Island Homeland Security Task Force, an evidence room, and storage for firearms, search and rescue equipment, emergency medical services, wildland fire gear, and radio equipment. In addition, the first floor may contain a compliant prisoner management area with two holding cells, a sally port, a tactical training room, and secured vehicle bays for a fire engine and emergency patrol vehicles. The proposed facility would be designed to withstand torrential rains and high winds from storms and hurricanes. The proposed facility would improve the work conditions for staff, create a secure location for law enforcement functions, and protect valuable law enforcement equipment and vehicles from criminal activity and the high saline environment.

The potential for resource damage and violence to visitors and staff in the park from smuggling has risen dramatically in the last few years and consequently has resulted in six new positions within the Division of Ranger Activities. In light of this dramatic increase, this project is needed to decrease response times to visitor and employee safety incidents and resource damage events. The new facility would help ensure the safety of visitors and staff, and the preservation of the park's fragile natural and cultural resources.

An environmental assessment will be prepared in compliance with the National Environmental Policy Act (NEPA) to provide the decision-making framework that 1) analyzes a reasonable range of alternatives to meet project objectives, 2) evaluates issues and impacts to park resources and values, and 3) identifies mitigation measures to lessen the degree or extent of these impacts.

The park encourages public participation throughout the planning process. There will be two opportunities to comment formally on the project—once during initial project scoping and again following release of the environmental assessment. The park is currently in the scoping phase of the proposed project and invites the public to submit written suggestions, comments, and concerns regarding the project online at the National Park Service Planning, Environment, and Public Comment (PEPC)

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IN AMERICA** 

website at: <http://parkplanning.nps.gov/>. Comments may also be sent to the address below no later than February 7, 2011:

Padre Island National Seashore
Superintendent Joe Escoto
P.O. Box 181300
Corpus Christi, TX 78480-1300

Respondents should be aware that their entire comment – including personal identifying information – may be made publicly available at any time. While respondents can ask that their personal identifying information be withheld from public review, the National Park Service cannot guarantee that this will be possible.

If you have questions about the project or would like more information, please contact Jim Lindsay by phone at (361) 949-8173, extension 223 or email at James_Lindsay@nps.gov.

We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Escoto", with a stylized flourish extending to the right.

Joe Escoto
Superintendent

Enclosure

U. S. Department of Homeland Security
FEMA Region 6
800 North Loop 288
Denton, TX 76209-3698



FEMA

FEDERAL EMERGENCY MANAGEMENT AGENCY
REGION VI
MITIGATION DIVISION

PUBLIC NOTICE REVIEW/ENVIRONMENTAL CONSULTATION

☐ We have no comments to offer. ☒ We offer the following comments:

WE WOULD REQUEST THE REVIEW OF EXECUTIVE ORDER 11988. EO 11988
place special importance on floodplains and direct federal agencies to avoid conducting, allowing or
supporting actions on a floodplain.

WE WOULD REQUEST TO CONTACT THE LOCAL FLOODPLAIN
ADMINISTRATOR

REVIEWER:

DATE: 1/12/11

Mayra G. Diaz, CFM
Floodplain Management & Insurance Branch
Mitigation Division
Phone 940-898-5541 | Mobile 940-390-0587 |
mayra.diaz@dhs.gov | www.floodsmart.gov



County of Nueces

Padre Island National Seashore
Superintendent Joe Escoto
P. O. Box 181300
Corpus Christi, Texas 78480-1300

January 10, 2011

RE: D20, D3415 (PAIS)

Dear Superintendent Escoto,

Thank you for your letter dated December 6, 2010, which I received today (January 10, 2011) asking for comment on your proposed: *"Replacement of Law Enforcement Division Headquarters at Padre Island National Seashore"*.

After reading the information provided and based on the need to replace a building that burned down in 2005 (six years ago) that ***"would be constructed within the footprint of the existing paved surface at the visitor center at the same location as the existing facility and would not result in any new ground disturbance"***, my only comment is GET IT DONE!

It appears to me that the exercise of going through the NEPA process would only further delay the construction of the replacement facility, and add substantial unnecessary cost to the project.

I trust the "decision makers" will see the need to move this project forward without further delay.

Sincerely,



Joe McComb

Cc: Honorable Blake Farenthold
Congressman – Texas District 27
2110 Rayburn HOB
Washington, DC 20515

1718 South Alameda
Corpus Christi, Texas 78404

Padre Island National Seashore D20, D3415 (PAIS).doc

JOE McCOMB

County Commissioner, Precinct Four • Corpus Christi, Texas 78401
County Courthouse • 901 Leopard Street, Suite 303.11
Telephone: 361-888-0268 • Fax: 361-888-0470
joe.mccomb@co.nueces.tx.us

APPENDIX B: STATEMENT OF FINDINGS

**STATEMENT OF FINDINGS FOR
EXECUTIVE ORDER 11988 FLOODPLAIN MANAGEMENT**

**PADRE ISLAND NATIONAL SEASHORE
LAW ENFORCEMENT DIVISION HEADQUARTERS**

Recommended: _____
Superintendent, Padre Island National Seashore Date

Concurred: _____
Chief, Water Resources Division Date

Approved: _____
Director, Intermountain Region Date

Construction of New Law Enforcement Division Headquarters Padre Island National Seashore

Statement of Findings for Floodplains

INTRODUCTION

In accordance with Executive Order (EO) 11988, “Floodplain Management” and National Park Service (NPS) guidelines for implementing the order, the Park Service has reviewed the flood hazards in Padre Island National Seashore (Park) and has prepared this statement of findings (SOF). This statement of findings focuses on evaluating the flood hazards for the proposed new law enforcement headquarters near the Malaquite Visitor Center. This SOF describes the proposed action, flood hazard, and mitigation measures for the use of this area. Additional detail regarding the proposed law enforcement headquarters and environmental impacts may be found in the Padre Island National Seashore Environmental Assessment for the Law Enforcement Headquarters.

BACKGROUND

The Park is comprised of 130,434 acres of coastal prairie habitat along the southern coast of Texas

approximately 8 miles south of Corpus Christi, and is bordered by the Laguna Madre and the Gulf of Mexico. The Park occupies the central 66 miles of the approximately 113-mile-long Padre Island (Figure 1). The Park was established by Congress on September 28, 1962 “to save and preserve, for the purposes of public recreation, benefit, and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped” (Public Law 87-712).

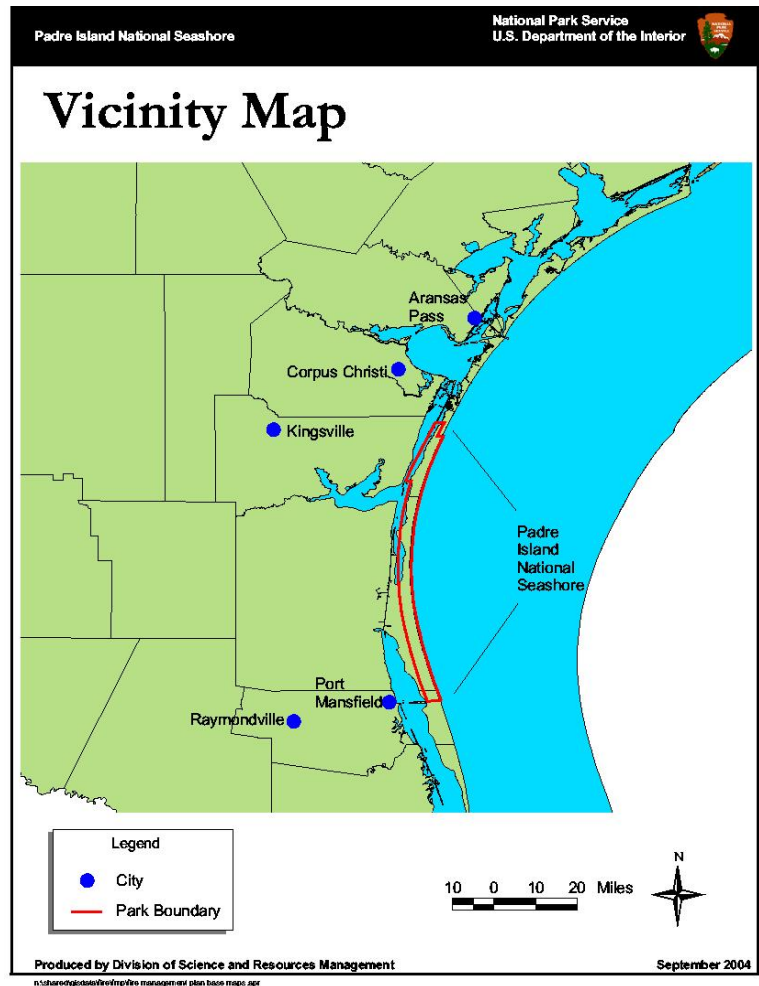


Figure 1. Park Vicinity Map

PROPOSED ACTION

The Park proposes to construct a new law enforcement headquarters. The facility would be built at the same location as the existing modular structure currently being used as the law enforcement headquarters in the parking lot adjacent to the Malaquite Visitor Center (Figure 2). The new facility would improve the efficiency of law enforcement operations, while protecting Park scenic, natural, and cultural resources.

Access

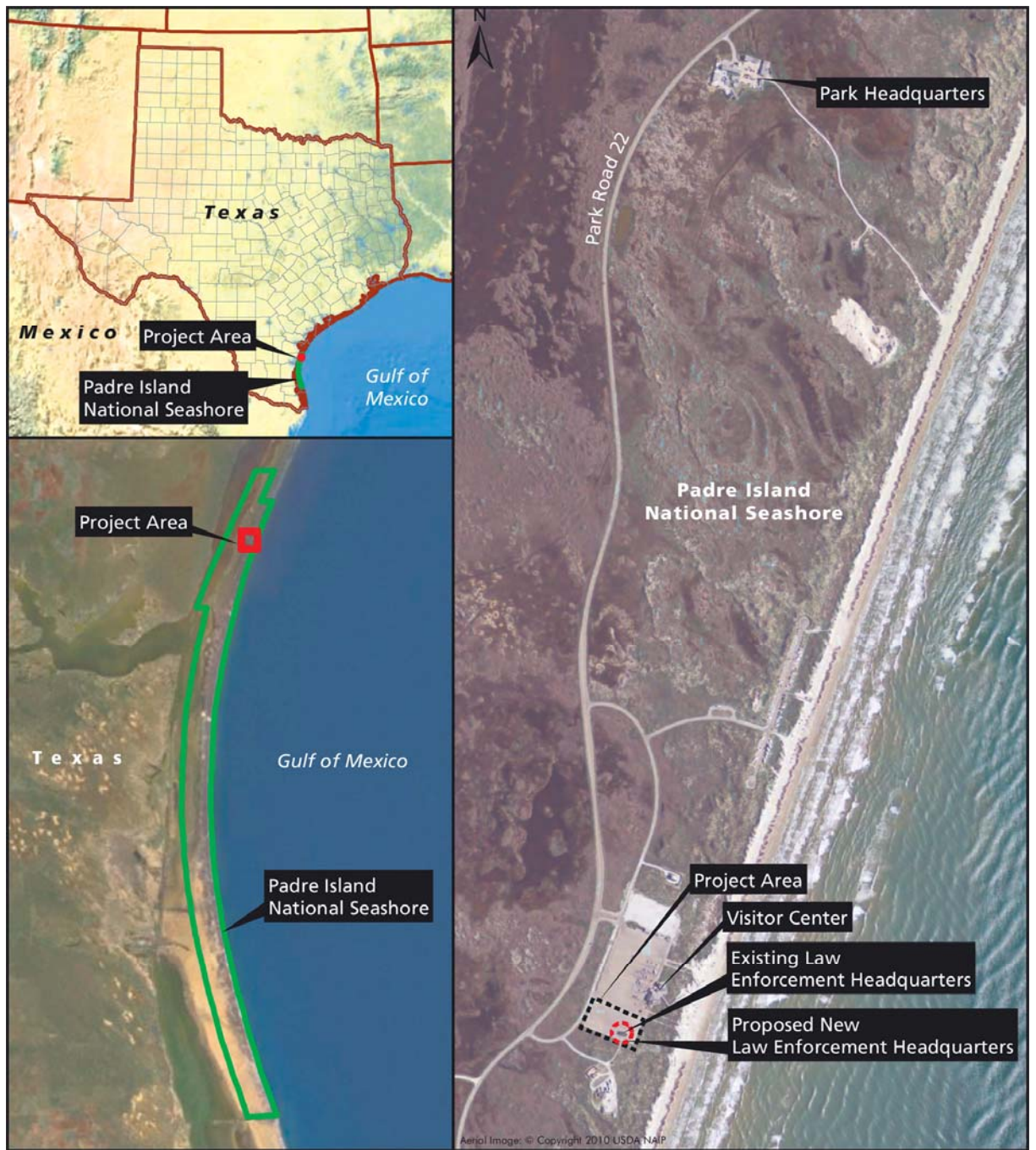
All access for construction activities and staffing at the new law enforcement headquarters would be from Park Road 22 through the existing visitor center and law enforcement headquarters parking area.

Facility

The new law enforcement facility would be in the same location as the existing law enforcement headquarters and would be built in a zone designated by the Federal Emergency Management Agency (FEMA) as Zone “C” (Figure 3). Zone C is defined as an area of minimal flooding. However, the proposed law enforcement headquarters would be located a few hundred feet behind the fore dunes on the beach to the east. The fore dunes are the beginning of FEMA Zone V, an area of 100-year coastal floods, with velocity (wave action) and a designated base flood elevation of 9 feet. Because the proposed headquarters would be located close to this high-risk flood and wave action area, it would not be safe to remain at the headquarters during direct hurricane landings. The new facility would not comply with Zone V requirements; however, the building would be designed based on ASCE Flood Resistant Design and Construction (ASCE-24-05) requirements. The facility design would help protect the headquarters building from flood damage.

The possibility of severe or significant storm events has been taken into consideration during the planning of this project. The new law enforcement headquarters would be a two-story building with 3,300 square feet on each level. The lower level would be constructed as a slab-on-grade with reinforced concrete and masonry walls supporting the second floor. The lower level would be used for parking vehicles, prisoner management area, storage, and a tactical training area that also would serve as a storm shelter/community safe room. The safe room would be designed in accordance with FEMA 361 to withstand high winds. The second floor would be about 12 feet above grade and would have an 8-inch concrete slab floor for building stability and to provide a safe cover for the storm shelter/community safe room. The second floor would be constructed using a conventional wood frame. All Park personnel and visitors would be evacuated prior to a hurricane landing; the existing evacuation program (NPS 2011) is described in the “Mitigation” section of this Statement of Findings.

Figure 2. Project Location



Project Area

Environmental Assessment
Proposed Law Enforcement Center

Padre Island National Seashore
United States Department of the Interior/National Park Service

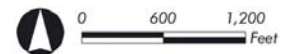
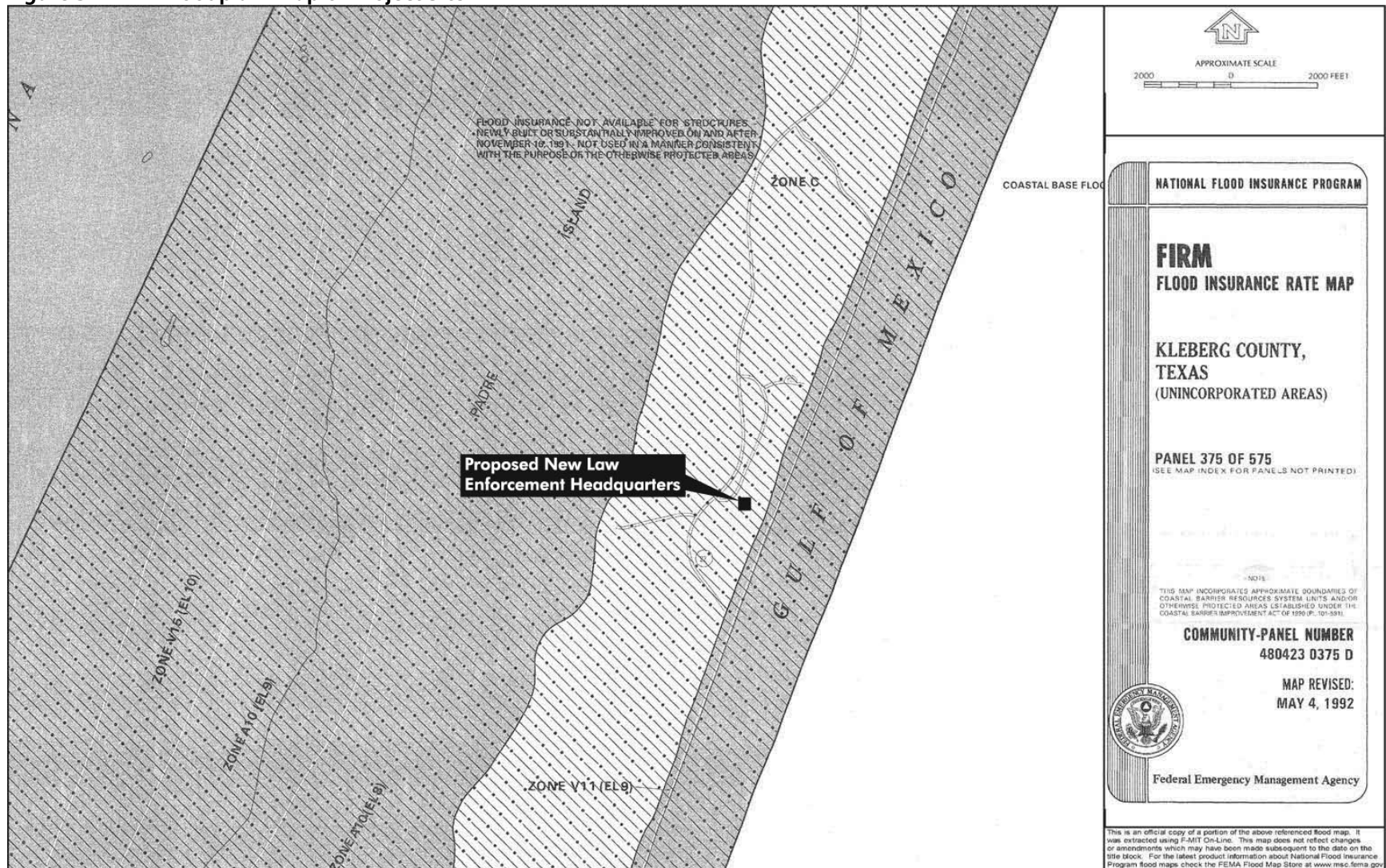


Figure 3. FEMA Floodplain Map of Project Site



Source: FEMA 1992.

Site Description

The proposed new law enforcement facility would be constructed where the existing law enforcement headquarters is currently located in the parking lot adjacent to the Malaquite Visitor Center. The project includes removal of 1.76 acres of existing asphalt and removal of the existing law enforcement headquarters (modular building) following construction of the new building. The former asphalt area would be replaced by about 1.2 acres of landscaped areas planted with native vegetation. A stormwater retention pond would be located in one of the landscaped areas. The remaining 0.56 acre would be covered by the new law enforcement headquarters and enclosed parking. The construction area contains no significant topographic, geologic, or soil features. The proposed construction would require excavation of the asphalt and underlying soils for construction of the building foundation. Topographic changes and site disturbance would be minimal. The proposed location is at a relatively high elevation in the Park, which would provide some protection from storm surges. Natural drainage and natural contours would be preserved to the extent practicable. The new law enforcement facility would not be built in a 100-year coastal flood area or 100-year floodplain, and would not affect nearby 100-year coastal flood or floodplain areas.

JUSTIFICATION FOR USE OF THE FLOODPLAIN

The proposed law enforcement headquarters would be located in an area of minimal flooding. The site is ideal because it would be in the same location as the existing law enforcement headquarters and would have no impact to the nearby 100-year coastal flood area or the 100-year floodplain to the west.

NATURE OF FLOODING IN THE AREA

Flooding on Padre Island National Seashore can range from minor flooding with inundation of the fore dunes and minor erosion to major flooding from hurricanes. Major storms can drive storm surges across the island, removing large sections of the dune line and completely changing the landscape. Fresh water wetlands may hold salty water from hurricane storm surges for months after an event.

Site-Specific Flood Risk

The Atlantic Hurricane Season begins on June 1 and continues through November 30. The greatest percentage of hurricanes affecting the Gulf Coast occurs in August, September, and October. The number of tropical storms occurring each season may vary from 4 to 12. The Gulf of Mexico averages 10 storms annually based on the number of storms that have occurred over the past 40 years. In 1967, Hurricane Beulah caused wind and water damage to the new Park. In 1970, Hurricane Celia hit land north of Padre Island. In 1980, Hurricane Allen, one of the strongest hurricanes in recorded history, landed at the south end of the Park and did extensive damage to the island. The protective fore dunes were reduced to small hills of sand and were scattered as much as 150 feet inland. There were many washovers and large

alluvial fans spread across the grasslands away from shore. However, the fore dunes reduced the strength of the wind and inland flow of water.

According to the 1992 FEMA map (FEMA 1992), the base flood elevation in the coastal flood area near the proposed law enforcement headquarters is 9 feet, and the base flood elevation in the floodplain about 2,500 feet to the west is 8 feet. The proposed construction site is landward of the fore dunes in an area of minimal flooding. Based on FEMA's zone designation explanations, the proposed law enforcement headquarters could be subject to a greater than 500-year flood.

Mitigation

Mitigation measures to reduce the effects of severe storm events to the proposed law enforcement headquarters include the following:

1. Design of the building based on ASCE Flood Resistant Design and Construction (ASCE-24-05) requirements to provide protection from flooding.
2. Removal of 1.76 acres of asphalt and replacement with vegetation and a stormwater pond, which would reduce runoff, increase infiltration, and collect stormwater.
3. The Park would continue to prohibit driving, fires, camping, and other disturbances in the dunes and fore dunes to protect native vegetation communities and maintain these natural barriers to ensure the protection of existing and proposed facilities from washover; and rapid recovery of these areas after storm events.

The mitigation for very large storm events that could flood the proposed law enforcement headquarters is evacuation of the Park, including all staff and visitors to the law enforcement headquarters. The Park's evacuation plan (NPS 2011) is updated annually and uses a three-stage alert system when a tropical storm enters or originates in the Gulf of Mexico:

- *Green Alert*—will be established when the National Weather Service identifies a weather system as a Tropical Storm with winds above 39 miles per hour, within 72 hours or 700 miles of the Park, and appears to be heading for the coastal bend area. Park staff advise visitors entering or currently recreating in the Park that a storm is in the Gulf of Mexico.
- *Yellow Alert*—will be established when a tropical storm system is within 60 hours or 500 miles of the Park, appears to be heading for the northwestern Gulf coastline, and a Hurricane Watch is issued for the coastal bend. Park staff evacuate visitors.
- *Red Alert*—will be established when a tropical storm is expected to reach hurricane force and is within 48 hours or 300 miles of the Park, the storm track and speed indicate it will strike the coastal bend area within 24 hours somewhere between 25 and 30 degrees N latitude, and a Hurricane Warning is issued for the coastal bend with an expected landfall between 150 miles south of Corpus Christi and 100 miles north of Corpus Christi. The Park is closed, gates locked, and employees and visitors are evacuated.

Should a storm suddenly develop in the western Gulf of Mexico or if an approaching storm suddenly increases its forward speed, any or all of the alerts may be bypassed and the Park would immediately come under red alert.

Project Contingencies

Design and construction of the new law enforcement headquarters includes contingencies for severe storms that may result in flooding and wind damage to the new headquarters. These contingencies include constructing the lower level as a slab-on-grade with reinforced concrete and masonry walls supporting the second floor. The safe room on the lower level would be designed to withstand high winds. The second floor would be about 12 feet above grade and would have an 8-inch concrete slab floor for building stability and to provide a safe cover for the storm shelter/community safe room.

SUMMARY

The Park Service concludes that there is no better alternative for placement of the new law enforcement headquarters. The proposed action would result in no adverse impacts on coastal flood areas or floodplains. The Park Service, therefore, finds that this project is in compliance with EO 11988, "Floodplain Management."

REFERENCES

FEMA (Federal Emergency Management Agency). 1992. Current FEMA Issued Flood Maps for Kleberg County, Texas – MSC Digital Post Office. Flood Insurance Rate Map (FIRM). Kleberg County Texas, Panel 375 of 575. May 4. Available at: http://map1.msc.fema.gov/idms/IntraView.cgi?ROT=0&O_X=5285&O_Y=5211&O_ZM=0.076751&O_SX=645&O_SY=396&O_DPI=400&O_TH=59420588&O_EN=59434960&O_PG=1&O_MP=1&CT=0&DI=0&WD=10392&HT=10219&JX=783&JY=456&MPT=0&MPS=0&ACT=0&KEY=59419565&ITEM=1&ZX1=147&ZY1=45&ZX2=484&ZY2=304. Last accessed: May 10, 2011.

National Park Service (NPS). 2011. Hurricane Plan. Padre Island National Seashore.

APPENDIX C

Coastal Zone Determination

CONSISTENCY WITH THE TEXAS COASTAL MANAGEMENT PROGRAM

THE APPLICANT SHOULD SIGN THIS STATEMENT AND RETURN WITH APPLICATION PACKET TO:

COASTAL PERMIT SERVICE CENTER
6300 OCEAN DRIVE, TAMU-CC
CORPUS CHRISTI, TX 78412-5841
FAX: (361) 825-3465

FOR USACE USE ONLY:

PERMIT #: _____

PROJECT MGR. _____

APPLICANT'S NAME AND ADDRESS (PLEASE PRINT):

Padre Island National Seashore, National Park Service

Attn: Jim Lindsay, Chief of Science and Natural Resources, NPS

P.O. Box 181300, Corpus Christi, Texas CO 78480-1300

The Texas Coastal Management Program (CMP) coordinates state, local, and federal programs for the management of Texas coastal resources. Activities within the CMP boundary must comply with the enforceable policies of the Texas Coastal Management Program and be conducted in a manner consistent with those policies. The boundary definition is contained in the CMP rules (31 TAC §503.1).

- To determine whether your proposed activity lies within the CMP boundary, please find the project location using the following link: <http://www.glo.state.tx.us/coastal/maps/cmp/index.html>.

PROJECT DESCRIPTION:

Is the proposed activity at a waterfront site or within coastal, tidal, or navigable waters? ☐ Yes ☒ No

If Yes, name affected coastal, tidal, or navigable waters: _____

Is the proposed activity water dependent? (31 TAC §501.3(a)(14)) ☐ Yes ☒ No

[http://info.sos.state.tx.us/pls/pub/readtac\\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=31&pt=16&ch=501&rl=3](http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=31&pt=16&ch=501&rl=3)

If yes, please describe how project is water dependent:

Please briefly describe the project and all possible effects on coastal resources:

The National Park Service is considering constructing a new law enforcement division headquarters at the North Padre Island National Seashore. The facility would be built within the currently paved lot adjacent to the existing Malaquite Visitors Center on North Padre Island.

A modular facility is currently located on the site. Because the proposed facility will be constructed entirely within the existing currently paved area, no wetlands, dune areas, or critical areas are going to be impacted by the construction. The paved area is landward of the dune system.

The analysis of specific resources are presented in the attached EA.

Indicate area of impact: _____ 0 (zero) ☒ acres or ☐ square feet

ADDITIONAL PERMITS/AUTHORIZATIONS REQUIRED:

- ☐ Coastal Easement – Date application submitted _____
- ☐ Coastal Lease – Date application submitted _____
- ☐ Stormwater Permit – Date application submitted _____
- ☐ Water Quality Certification – Date application submitted: _____
- ☐ Other state/federal/local permits/authorizations required: _____

The proposed activity must not adversely affect coastal natural resource areas (CNRAs).

PLEASE CHECK ALL COASTAL NATURAL RESOURCE AREAS THAT MAY BE AFFECTED:

- | | | | |
|--|---|---|--|
| <input type="checkbox"/> Coastal Barriers | <input type="checkbox"/> Coastal Historic Areas | <input type="checkbox"/> Coastal Preserves | <input type="checkbox"/> Coastal Shore Areas |
| <input type="checkbox"/> Coastal Wetlands | <input type="checkbox"/> Critical Dune Areas | <input type="checkbox"/> Critical Erosion Areas | <input type="checkbox"/> Gulf Beaches |
| <input type="checkbox"/> Hard Substrate Reefs | <input type="checkbox"/> Oyster Reefs | <input type="checkbox"/> Special Hazard Areas | |
| <input type="checkbox"/> Submerged Lands | <input type="checkbox"/> Submerged Aquatic Vegetation | | |
| <input type="checkbox"/> Tidal Sand Or Mud Flats | <input type="checkbox"/> Waters of Gulf of Mexico | | |
| <input type="checkbox"/> Waters Under Tidal Influence. | | | |

The applicant affirms that the proposed activity, its associated facilities, and their probable effects comply with the relevant enforceable policies of the CMP, and that the proposed activity will be conducted in a manner consistent with such policies.

PLEASE CHECK ALL APPLICABLE ENFORCEABLE POLICIES:

[http://info.sos.state.tx.us/pls/pub/readtac\\$ext.ViewTAC?tac_view=5&ti=31&pt=16&ch=501&sch=B&rl=Y](http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=5&ti=31&pt=16&ch=501&sch=B&rl=Y)

AFFECTED	ENFORCEABLE POLICY
	§501.15 Policy for Major Actions
	§501.16 Policies for Construction of Electric Generating and Transmission Facilities
	§501.17 Policies for Construction, Operation, and Maintenance of Oil and Gas Exploration and Production Facilities
	§501.18 Policies for Discharges of Wastewater and Disposal of Waste from Oil and Gas Exploration and Production Activities
	§501.19 Policies for Construction and Operation of Solid Waste Treatment, Storage, and Disposal Facilities
	§501.20 Policies for Prevention, Response and Remediation of Oil Spills
	§501.21 Policies for Discharge of Municipal and Industrial Wastewater to Coastal Waters
	§501.22 Policies for Nonpoint Source (NPS) Water Pollution
	§501.23 Policies for Development in Critical Areas
	§501.24 Policies for Construction of Waterfront Facilities and Other Structures on Submerged Lands
	§501.25 Policies for Dredging and Dredged Material Disposal and Placement
X	§501.26 Policies for Construction in the Beach/Dune System
	§501.27 Policies for Development in Coastal Hazard Areas
X	§501.28 Policies for Development Within Coastal Barrier Resource System Units and Otherwise Protected Areas on Coastal Barriers
	§501.29 Policies for Development in State Parks, Wildlife Management Areas or Preserves
	§501.30 Policies for Alteration of Coastal Historic Areas
	§501.31 Policies for Transportation Projects
	§501.32 Policies for Emission of Air Pollutants
	§501.33 Policies for Appropriations of Water
	§501.34 Policies for Levee and Flood Control Projects

Please explain how the proposed project is consistent with the applicable enforceable policies identified above. Please use additional sheets if necessary. *For example: If you are constructing a pier with a covered boathouse, then the applicable enforceable policy is: §501.24 Policies for Construction of Waterfront Facilities and Other Structures on Submerged Lands. The project is consistent because it will not interfere with navigation, natural coastal processes, and avoids/minimizes shading.*

The project is not within a critical dune area within a parking lot. The project is

consistent with §501.26 because the project will be located in an already paved and

improved area and would not require material impacts to dunes, dune vegetation or weakening or

damage to dune complexes; furthermore, the project does not consist of a structural shore protection.

The project is consistent with §501.28 because the project is essential for public safety and welfare;

will not require expansion-related development into critical areas, critical dunes, Gulf beaches and

washover areas within Coastal Barrier Resource System Units or Otherwise Protected Areas; and

construction within the existing paved footprint of the current modular facility and visitors center will

avoid or minimize adverse effects within within Coastal Barrier Resource System Units or Otherwise

Protected Areas.

BY SIGNING THIS STATEMENT, THE APPLICANT IS STATING THAT THE PROPOSED ACTIVITY COMPLIES WITH THE TEXAS COASTAL MANAGEMENT PROGRAM AND WILL BE CONDUCTED IN A MANNER CONSISTENT WITH SUCH PROGRAM

DATE: _____

SIGNATURE: _____

Any questions regarding the Texas Coastal Management Program should be referred to:

Jesse Solis
Permitting Assistance Coordinator
6300 Ocean Drive
TAMU-CC Natural Resource Center Ste. 2800
Corpus Christi, Texas 78412-5599
Phone: (361) 825-3050
Fax: (361) 825-3465
Toll Free: 1-866-894-3578
permitting.assistance@glo.state.tx.us

Tammy Brooks
Texas General Land Office
Coastal Resources Division
1700 North Congress Avenue, Room 620
Austin, Texas 78701-1495
Phone: (512) 463-9212
Fax: (512) 475-0680
Toll Free: 1-800-998-4GLO
tammy.brooks@glo.state.tx.us



As the nation's principal conservation agency, the Department of the Interior has the responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historical places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

National Park Service
U.S. Department of the Interior



Padre Island National Seashore
PO Box 181300
Corpus Christi, TX 78480-1300