

National Park Service
U.S. Department of the Interior

Amistad National Recreation Area
Texas



Joint Law Enforcement Operations Space with Border Patrol, Park Headquarters, Maintenance, and Visitor Contact Facility

Environmental Assessment/Assessment of Effect Amistad National Recreation Area

January 2010



ENVIRONMENTAL ASSESSMENT/ASSESSMENT OF EFFECT

JOINT LAW ENFORCEMENT OPERATIONS SPACE WITH BORDER PATROL, PARK HEADQUARTERS, MAINTENANCE, AND VISITOR CONTACT FACILITY

AMISTAD NATIONAL RECREATION AREA

SUMMARY

Amistad National Recreation Area (Amistad or park) proposes to construct a joint law enforcement operations space with the Border Patrol Lake Task Force (Border Patrol), park headquarters, maintenance facility, and visitor contact facility (joint operations facility). The joint operations facility would be located in the Diablo East Subdistrict of the park at a location currently used to store miscellaneous equipment and adjacent to an existing popular recreation area. The project is being considered to address the inadequate facilities the park is currently leasing at multiple locations outside of the park and the associated inefficiencies in park operations. The proposed joint operations facility would improve the effectiveness and efficiency of park operations while providing for improved visitor enjoyment and safety, and protection of park scenic, natural, and cultural resources.

This Environmental Assessment/Assessment of Effect (EA) evaluates two alternatives: a no action alternative and a preferred action alternative (Preferred Alternative). Under the No Action Alternative, the park would continue to use the existing leased facilities located outside of the park and safety and efficiency issues would not be addressed. The Preferred Alternative would construct a new joint use facility within the park that would consolidate administration, maintenance, visitor contact, and law enforcement in one location. The proposed facility would incorporate sustainable and energy efficient measures and provide a secure comfortable location for park staff and visitors. A new joint operations facility would provide an immediate law enforcement presence within the park boundaries and would increase cooperation and communication between park law enforcement staff and the Border Patrol.

This EA 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 objectives of the proposal, 2) evaluates potential issues and impacts to Amistad's resources and values, and 3) identifies mitigation measures to lessen the degree or extent of those impacts. Resource topics evaluated in detail in this EA are soils; vegetation; wildlife; special status species; archeological resources; visitor experience and recreation resources; visual resources; public health and safety; and park operations. All other resource topics were dismissed because the project would result in negligible to minor effects. No major effects were identified as a result of the proposed project. No adverse effects on cultural resources under Section 106 of the National Historic Preservation Act would occur. Public scoping was conducted to assist with the development of this EA and two comments were received and considered in the evaluation of effects.

Public Comment

If you wish to comment on this EA, you may post comments online using the National Park Service Planning, Environment and Public Comment (PEPC) website at:

<http://parkplanning.nps.gov> or mail comments to: Superintendent; Amistad National Recreation Area, 4121 Veterans Boulevard, Del Rio, TX 78840.

This EA will be on public review for 30 days. Before including your address, phone number, email 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

ADA	Americans with Disabilities Act
APE	Area of Potential Effect
BMP	Best Management Practice
CEQ	Council of Environmental Quality
Corps	U.S. Army Corps of Engineers
EA	Environmental Assessment
EIS	Environmental Impact Statement
ESA	Endangered Species Act
FCR	fire-cracked rock
FONSI	Finding of No Significant Impact
GMP/EA	General Management Plan/Environmental Assessment
LEED	Leadership in Energy and Environmental Design
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NPS	National Park Service
NRHP	National Register of Historic Places
OSHA	Occupational Health and Safety Administration
PEPC	Planning, Environment and Public Comment
SAL	state archeological landmark
SWPPP	Storm water pollution prevention plan
TCEQ	Texas Commission on Environmental Quality
TPDES	Texas Pollutant Discharge Elimination System
TPWD	Texas Parks and Wildlife Department
TXNDD	Texas Natural Diversity Database
USFWS	U.S. Fish and Wildlife Service
USGBC	U.S. Green Building Council

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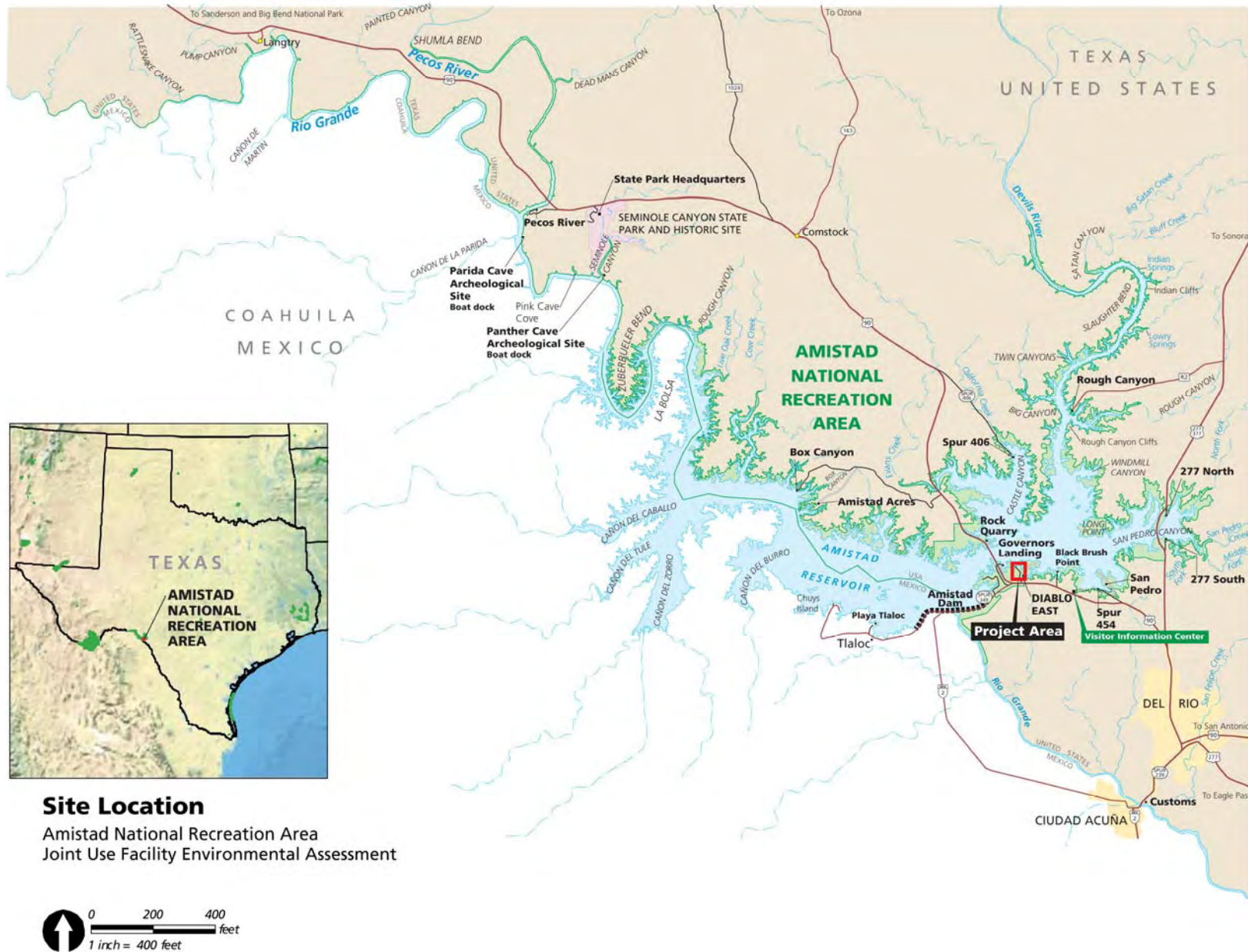
AMISTAD NATIONAL RECREATION AREA

INTRODUCTION

Amistad National Recreation Area (Amistad or park) of the National Park Service (NPS) proposes to construct a joint operations facility. The joint operations facility would include combined NPS and Border Patrol Lake Task Force (Border Patrol) law enforcement facilities, park headquarters, maintenance facilities, and a visitor contact facility. The proposed facility would include offices, restrooms, a communications room, an evidence room, weapons storage, conference rooms, a theater, space for concessions, a tactical training room, a visitor contact area, maintenance areas, storage for marine equipment, utilities, access roads, parking, and secure outside storage for vehicles and equipment. The proposed facility would be located at Diablo East, at a site currently used to store extra equipment and vehicles. The Diablo East area is also the most popular visitor use area in the park. Amistad is located in Val Verde County, Texas (Figure 1).

This Environmental Assessment (EA) was prepared to evaluate potential impacts to natural and cultural resources and the socioeconomic environment associated with the proposal to construct a joint operations facility; and a No Action Alternative where the park and Border Patrol would continue to operate from multiple locations and would not involve construction of a new facility. This EA 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 – 12 and Handbook, *Conservation Planning, Environmental Impact Analysis, and Decision-making*. In addition, this EA was prepared in compliance with the requirements of Section 106 of the National Historic Preservation Act (NHPA), in accordance with the Advisory Council on Historic Preservation's regulations implementing Section 106 (36 CFR Part 800.8, *Coordination with the National Environmental Policy Act*). The EA 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.

FIGURE 1. AMISTAD NATIONAL RECREATION AREA AND SURROUNDINGS



PROJECT PURPOSE AND NEED

Project Purpose

The purpose of the proposed project is to improve the efficiency and effectiveness of park operations by consolidating departments and visitor services at a single location. A joint operations facility located in the park would serve as a hub for combined law enforcement and border security operations, park headquarters, maintenance facilities, and visitor contact (Figure 2). The law enforcement, administration functions, and visitor contact facility for Amistad are currently in separate buildings at three different locations. Combining these facilities in a joint operations facility within the park would improve service to visitors, improve visitor and employee safety, increase the efficiency of park operations, and reduce energy costs. Incorporating Border Patrol operations in the proposed facility would enhance coordination and the efficiency of operations with NPS law enforcement. The objectives of the proposed project are to:

Improve the Efficiency of Park Operations

- Provide centralized law enforcement, park headquarters, maintenance facility, and visitor contact facility in one location within the park;
- Improve the effectiveness and coordination between NPS law enforcement and the Border Patrol to maintain operational control of the border and protect park visitors and employees;
- Reduce energy consumption and improve the sustainability of NPS operations; and
- Provide park employees with a safe and healthy working environment to better meet park goals.

Provide for Visitor Enjoyment and Safety

- Provide visitors a convenient accessible location located within the park near recreation facilities.

Protect Park Resources

- Protect park natural and cultural resources values.

Project Need

The proposed project is being considered to address deficiencies in the condition of existing park facilities, inefficiencies in park operations, and safety concerns. Currently, Amistad law enforcement facilities, park headquarters, and maintenance facilities/visitor contact facility are located at three separate locations and are miles apart. Park operational efficiency and response time is severely hampered because of the separation of facilities and the lack of presence in the park. Current park facilities are inadequate, obsolete, and inefficient for carrying out park objectives. The lease for the building housing maintenance and visitor services was originally designed for storage of parts and supplies, and was not intended for occupancy. The residential water well at the current visitor contact facility is nonpotable. The restroom facilities at the visitor contact facility are inadequate for the number of employees and visitors, and become unusable during electrical power failures. There is insufficient water storage capacity at the visitor contact facility for fire suppression, which is a safety concern. The building owner indicated that the lease will not be renewed

FIGURE 2. PROPOSED JOINT OPERATIONS FACILITY LOCATION



after the current lease agreement ends in less than 3 years. No other adequate lease space is available near Amistad.

The park headquarters is located in a metal building in Del Rio more than 10 miles from the park. The park headquarters lacks basic fire protection, has inadequate work space and poor ventilation, and uses excessive amounts of energy to heat and cool. None of the existing park buildings meet current fire safety standards, electrical codes, American Disability Act (ADA) standards, or Occupational Safety and Health Act (OSHA) standards. The proposed joint operations facility within the park would be designed to address these deficiencies.

Drug smuggling activities within Amistad have been increasing in recent years, posing a threat to visitor safety and park resources. Drug smugglers reportedly use areas with heavy visitor use to blend in with the public. There are 61 identified smuggling routes within the boundaries of Amistad. Drug smuggling activities have resulted in adverse impacts to park natural and cultural resources by increasing the risk of fire, impacting trails, and increasing litter. Illegal smuggling diverts resources from other law enforcement requirements. Border Patrol offices are currently located in trailers on NPS land and park rangers use a small temporary structure in the Diablo East Subdistrict. Incorporating Border Patrol operations and NPS law enforcement in the proposed joint operations facility would enhance coordination and the effectiveness of border security and law enforcement operations.

PURPOSE AND SIGNIFICANCE OF AMISTAD NATIONAL RECREATION AREA

Amistad Reservoir lies on the United States – Mexico border. The lake was created in 1969 for flood control, water storage, power generation, and recreation. Amistad Dam is operated jointly by the United States and Mexico. The land on the United States side of the reservoir was designated as Amistad National Recreation Area in 1990, and is managed by the NPS. Amistad encompasses 57,292 acres, most of which is the U.S. portion of the reservoir's water surface. Amistad's boundary is the reservoir surface and shore area up to the 1,144-foot elevation contour. Amistad provides a variety of recreational activities including boating, fishing, hunting, and camping. The park preserves important cultural resources, including some of the oldest pictographs in North America.

The purposes and significance of Amistad, as outlined in the Draft General Management Plan/Environmental Assessment (GMP/EA) (NPS 2006a), underlie how the national recreation area is managed. The purposes tell why the national recreation area was set aside as a unit in the national park system. The significance of the national recreation area addresses why the area is unique—why it is important enough to our natural and/or cultural heritage to warrant national park designation, and how it differs from other parts of the country.

The purposes of Amistad National Recreation Area are to:

- Provide for public outdoor recreational use and enjoyment of the lands and waters associated with the United States portion of the reservoir known as Lake Amistad; and

- Protect scenic, scientific, cultural, and other values contributing to the public enjoyment of such lands and waters.

Amistad National Recreation Area is significant for the following reasons (NPS 2006a):

- As one of only two lakes managed jointly by the United States and the Republic of Mexico, Lake Amistad commemorates a water conservation partnership between the two nations;
- The waters of Lake Amistad provide diverse water-based recreational opportunities, including some of the finest recreational black bass fishing in the southwestern United States;
- Amistad National Recreation Area protects and interprets exceptional examples of Lower Pecos River rock art, one of the densest concentrations of Archaic rock art in the New World and comparable in significance to rock art found in Europe; Australia; and Baja, California;
- The archeological sites of the Lower Pecos river region, including Amistad National Recreation Area, are among the oldest and best preserved archeological sites in North America, and provide important information about the unique cultures and environment of southwest Texas;
- Amistad manages the third largest museum collection in the national park system, which consists almost entirely of prehistoric archeological materials, many of which are listed on the National Register of Historic Places (NRHP), that span more than 10,000 years of Native American history; and
- Amistad National Recreation Area includes one of the largest tracts of public land available for hunting in southwest Texas.

RELATED PLANNING DOCUMENTS

Amistad National Recreation Area Draft General Management Plan/ Environmental Assessment

The Amistad Draft GMP/EA proposes management actions such as designating different management zones within Amistad and constructing improvements such as a new park headquarters, maintenance facility, and visitor contact facility (NPS 2006a). Under the Preferred Alternative, the new facilities would be constructed in previously disturbed areas within the rural development zone at Diablo East.

Management Policies 2006

The proposed joint operations facility is consistent with NPS *Management Policies 2006*, which provides guidance for management of all national park units. Park facilities are addressed in Chapter 9, which states:

“The National Park Service will provide visitor and administrative facilities that are necessary, appropriate, and consistent with the conservation of park resources and values. Facilities will be harmonious with park resources, compatible with natural processes, esthetically pleasing, functional, energy- and water-efficient, cost-effective,

universally designed, and as welcoming as possible to all segments of the population. NPS facilities and operations will demonstrate environmental leadership by incorporating sustainable practices to the maximum extent practicable in planning, design, siting, construction, and maintenance.”

SCOPING

Scoping is an early and open process to determine the breadth of issues and alternatives to be addressed in an EA. The staff of Amistad and resource professionals of the NPS-Denver Service Center 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 proposed action to other planning efforts at Amistad.

Amistad initiated public scoping on October 9, 2009 with a press release to provide the public and interested parties an opportunity to comment on the proposed project (Appendix A). The park also sent letters to interested individuals; organizations; state, county, and local governments; and federal agencies describing the proposed action and asking for comment. American Indian tribes (Comanche Nation, Kickapoo Traditional Tribe of Texas, Kiowa Tribe of Oklahoma, and Mescalero Apache Tribe) also were sent an information letter on October 9, 2009 describing the project and asking for comments. Comments on the proposed action were also requested from the U.S. Fish and Wildlife Service (USFWS).

The NHPA (16 United States Code [U.S.C.] 470 et seq.); NEPA; NPS Organic Act; NPS *Management Policies 2006*; Director’s Order – 12: *Conservation Planning, Environmental Impact Analysis, and Decision-making* (2001); and Director’s Order – 28: *Cultural Resources Management Guideline* require the consideration of impacts on cultural resources, either listed in or eligible to be listed in, the NRHP. The Texas Historical Commission State — Historic Preservation Office and Val Verde County Historical Commission were notified of the project by letter dated October 9, 2009, and input into the project was solicited. The park will cooperate with the Texas Historical Commission to address mitigation of impacts to any cultural resources from the proposed action.

Comments on the proposed action were solicited through November 9, 2009. The Texas Department of Parks and Wildlife (TPWD) provided scoping comments in a letter dated November 9, 2009. TPWD commented that rare and protected species (interior least tern, Texas tortoise, trans-Pecos black-headed snake, and Mexican hooded oriole) could be impacted by the proposed activities if suitable habitat is present. TPWD recommended that if rare species are present, precautions should be taken to avoid, minimize, and compensate for impacts. The Texas Commission on Environmental Quality (TCEQ) submitted scoping comments in a letter dated December 10, 2009 indicating that no significant impacts to air quality are likely and that standard dust mitigation techniques during construction would minimize particulate emissions. The TCEQ also recommended actions to prevent surface and groundwater contamination. No other public or agency scoping comments were received as of the date of this EA.

The public, agencies, and American Indian groups traditionally associated with the lands of Amistad also will have an opportunity to review and comment on this EA.

APPROPRIATE USE

Section 1.5 of *Management Policies* (NPS 2006b), *Appropriate Use of the Parks*, directs the NPS to ensure that allowed park uses would not cause impairment of, or unacceptable impacts on, park resources and values. Existing authorized or a new form of park use may be allowed within a park only after a determination has been made in the professional judgment of the park manager that it would not result in unacceptable impacts.

Section 8.1.2 of *Management Policies* (NPS 2006b), *Process for Determining Appropriate Uses*, provides evaluation factors for determining appropriate uses. All proposals for park uses are evaluated for:

- Consistency with applicable laws, executive orders, regulations, and policies;
- Consistency with existing plans for public use and resource management;
- Actual and potential effects on park resources and values;
- Total costs to the NPS; and
- Whether the public interest will be served.

Park managers must continually monitor all park uses to prevent unanticipated and unacceptable impacts. If unanticipated and unacceptable impacts emerge, the park manager must engage in a thoughtful, deliberate process to further manage or constrain the use, or discontinue it.

The proposed joint operations facility is consistent with the Amistad Draft GMP/EA, which calls for constructing improvements such as a new park headquarters, maintenance facility, and visitor contact facility (NPS 2006a). The NPS finds that constructing the joint operations facility is an acceptable use at Amistad.

ISSUES AND IMPACT TOPICS

Issues

Issues and impact topics were developed from the questions and comments brought forth during internal and external scoping. Issues identified in scoping that were evaluated in the EA were potential effects on soils, vegetation, wildlife, special status species, archeological resources, visitor experience and recreation resources, public health and safety, park operations, and visual resources. Table 1 discusses the impact topics; the reasons for retaining the topic; and the relevant laws, regulations, and policies. Scoping issues or impact topics that were considered, but not evaluated further, are discussed below in “Impact Topics Dismissed from Further Consideration.”

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

Impact Topic	Reasons for Retaining Impact Topic	Relevant Laws, Regulations, and Policies
Soil Resources	Soil disturbance and a loss of soil resources would occur from construction of the proposed facility.	<i>NPS Management Policies 2006</i>
Vegetation	Native vegetation communities would be disturbed and lost from construction of new facilities. The introduction of invasive nonnative species is possible from ground-disturbing activities during construction.	NPS Organic Act; <i>NPS Management Policies 2006</i> ; Resource Management Guidelines (NPS-77); Federal Noxious Weed Control Act; Executive Order 13112; Invasive Species (1999)
Wildlife	Construction activities and noise could affect wildlife in the project area. New facilities would result in a loss of wildlife habitat.	NPS Organic Act; <i>NPS Management Policies 2006</i> ; NPS-77
Special Status Species	The project area contains suitable habitat for Texas tortoise, indigo snake, and horned toad, which are state species of concern. No federally listed threatened or endangered species are known to occur in the project area.	Endangered Species Act; <i>NPS Management Policies 2006</i> ; 16 U.S.C. 1535 Section 7(a)(2)
Visitor Experience and Recreation Resources	The new visitor contact facility would improve the quality of service that Amistad provides to its visitors and the quality of the visitor experience. The proposed project would result in increased traffic because more visitors would be drawn to the new visitor contact facility.	<i>NPS Management Policies 2006</i>
Visual Resources	The proposed project would allow visitors to enjoy scenic vistas from the joint operations facility and would introduce new structures to the landscape.	<i>NPS Management Policies 2006</i>
Public Health and Safety	The proposed project would improve public health and safety within the park by meeting current building codes and helping to reduce illegal smuggling.	<i>NPS Management Policies 2006</i>
Park Operations	The proposed project would improve the efficiency of park facilities and operations, while reducing energy use and incorporating sustainability practices.	<i>NPS Management Policies 2006</i> ; OMB Circular A-123; Federal Managers' Financial Integrity Act of 1982 (31 U.S.C. 3512(d)); Government Performance and Results Act of 1993 (GPRA)

Impact Topics Dismissed from Further Consideration

The following impact topics or issues were eliminated from the list of potential impacts because adverse impacts would be negligible to minor.

Geology

Surface geology of the project area consists of Salmon Peak Formation limestone. A Geotechnical Engineering Report for the proposed joint operations facility found no indications of the karst formations that could impact the feasibility of facility construction (Yeh and Associates 2009). A seismic survey of the project area found that limestone bedrock was located at the surface, which becomes very hard at depths of 5 to 12 feet and is suitable for construction of proposed facilities. No outstanding geologic features are present at the proposed facility location. The No Action Alternative would have no impact to geologic

resources. Under the Preferred Alternative, impacts to site geology would be minor from the surface excavation and grading required to prepare the site for building foundations, parking areas, and roads. Because the effects of the Preferred Alternative would be local, long-term, minor, and adverse, geology was dismissed as an impact topic in this EA.

Wetlands

Executive Order (EO) 11990, *NPS Management Policies 2006*, and Director's Order – 77-1 direct that wetlands be protected, and that wetlands and wetland functions and values be preserved. These orders and policies further direct that direct or indirect impacts to wetlands be avoided when practicable alternatives exist. The project area is covered by upland vegetation typical of the south Texas brushlands such as honey mesquite (*Prosopis glandulosa*) and prickly pear (*Opuntia* sp.). No wetlands occur in the project area and no impacts would occur to wetlands from the Preferred Alternative or the No Action Alternative. Because there would be no impacts to wetlands from the proposed project, this topic was dismissed from detailed discussion in this EA.

Prime or Unique Farmland

In 1980, the Council on Environmental Quality (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 (NRCS). Prime or unique farmland is defined as soil that particularly produces general crops such as common foods, forage, fiber, and oil seed; and unique farmland produces specialty crops such as fruits, vegetables, and nuts. No prime or unique farmlands occur in the project area; therefore, prime or unique farmland was dismissed as an impact topic in this EA.

Air Quality and Climate Change

Amistad is a designated Class I airshed, which under the Clean Air Act, prevents significant deterioration of air quality. Earthwork and hauling material during construction would temporarily increase dust and vehicle emissions under the Preferred Alternative and would result in localized effects on air quality. Hydrocarbons, nitrogen oxide, and sulfur dioxide vehicle emissions would be rapidly dissipated; and visibility, deposition, and other air quality-related values are not expected to be appreciably impaired. These effects would be short-term, negligible, and adverse. Neither overall park air quality nor regional air quality would be more than negligibly affected by the short-term increase in emissions. Under the Preferred Alternative, some greenhouse gases, such as carbon dioxide, would be emitted from the use of heavy equipment and trucks. These emissions would be small and would not contribute substantially to climate change. The Preferred Alternative would result in a long-term increase in traffic and vehicle emissions near the joint operations facility due to visitor, NPS, and Border Patrol use. However, locating park operations within the park would reduce the travel from existing park facilities located more than 10 miles from the park. Reduced energy consumption at the sustainable designed new joint operations facility would reduce energy requirements and the associated emissions for power generation. The No Action Alternative would have no effect on existing air quality. Because the Preferred Alternative would result in short-term negligible adverse effects to air quality and contributions to climate change during construction, with long-term benefits from

centralized operations and energy efficient facilities, air quality and climate change were dismissed as impact topics in this EA.

Environmental Justice

Presidential Executive Order 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.

Del Rio and surrounding communities contain both minority and low-income populations; however, environmental justice is dismissed as an impact topic 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.

Water Resources

The Clean Water Act and NPS *Management Policies 2006* direct the NPS to protect park waters and avoid pollution of park waters by human activities. No water resources occur in the immediate project area, although Amistad Reservoir is located about 500 feet north of the new building site. A stormwater pollution prevention plan (SWPPP) would be implemented

during construction to prevent or minimize the potential for erosion and transport of sediments to Amistad Reservoir. Use of detention basins, revegetation of disturbed areas, and other permanent drainage and erosion control measures would minimize the potential for long-term adverse effects to water quality. The potential for impacts to water quality from the Preferred Alternative would be local, short-and long-term, minor and adverse. The No Action Alternative would have no effect on water resources. For these reasons, water resources was dismissed as an impact topic in this EA.

Lightscape

In accordance with NPS *Management Policies 2006*, the NPS strives to preserve natural ambient landscapes, which are natural resources and values that exist in the absence of human-caused light. Amistad strives to limit the use of artificial outdoor lighting to that necessary for security and human safety. Amistad 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. Existing parking lots and facilities adjacent to and within the proposed project area use shielded lighting. Border Patrol design standards may require brighter lighting in some exterior areas for security reasons; however, additional outdoor lighting at the proposed joint operations facility would continue to limit lighting to the amount necessary for security and safety. Covered parking and building awnings would shield some of the lighting. No night construction or lighting would be used. The Preferred Alternative would not have an appreciable effect on the ambient lightscape and would have a long-term minor adverse effect on the night sky. The No Action Alternative would have no effect on the lightscape in Amistad because NPS facilities are located outside of the recreation area. For these reasons, lightscape was dismissed as an impact topic in this EA.

Floodplains

Executive Order 11988 – *Floodplain Management* requires an examination of impacts to floodplains and potential risks involved in placing facilities within floodplains. NPS *Management Policies 2006* and Director's Order – 77-2: *Floodplain Management* provides guidelines for proposed actions in floodplains. No areas of flooding have been identified in the project area (FEMA 2009). Under the Preferred Alternative, no proposed work activities or structures would be located in a floodplain. Because there would be no impact to floodplains under either alternative, floodplains was dismissed as an impact topic in this EA.

Indian Trust Resources

Secretarial Order 3175 requires that any anticipated impacts to Indian trust resources from a proposed project or action by the U.S. 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 the federal law with respect to American Indian and Alaska Native tribes. There are no Indian trust resources in Amistad (NPS 2006a). The lands comprising the park are not held in trust by the Secretary of the Interior for the benefit of Indians due to their status as Indians. Therefore, Indian trust resources was dismissed as an impact topic in this EA.

Ethnographic Resources

Ethnographic resources are defined by the NPS as any “site, subsistence, or other significance in the cultural system of a group traditionally associated with it” (Director’s Order – 28). A Class I ethnographic survey has been completed for Amistad and no ethnographic resources were found within the park (NPS 2006a). Four affiliated American Indian tribes are traditionally associated with Amistad. On October 9, 2009, the tribal contacts were sent an informational letter describing the proposed project and NPS’s desire to hear their comments. No specific issues related to ethnographic resources have been identified. This EA was also sent to each tribe for their 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 by the proposed project, and because appropriate steps would be taken to protect any ethnographic resources that are inadvertently discovered, ethnographic resources was dismissed as an impact topic in this EA.

Archeological Resources

The proposed facility site is currently used as a maintenance “boneyard” for parts, materials, and equipment storage. An L-shaped overflow parking area paved with limestone aggregate is at the north end of the area of potential effects (APE), and a modern campground and picnic area is at the southern end. Much of the project area is devoid of vegetation due to past and continued disturbance. The NPS conducted an archeological survey of the APE in October 2009 (NPS 2009a), and two prehistoric archeological sites were identified (Sites 41 VV 659 and AMIS 2009-1). Site 41 VV 659, which is on an upland flat above the “boneyard,” was previously recorded and consists of a pair of low burned rock mounds surrounded by a surface scatter of fire-cracked rock and chert flakes. The site is extensively damaged by erosion, but is considered to be potentially eligible for either listing in the NRHP (criterion D - that have yielded or may be likely to yield, information important in history or prehistory); or designation as a State of Texas archeological landmark. The site is within the APE, but is well outside the proposed disturbance area for construction. The site would, however, be barricaded or otherwise protected during construction so that it is not inadvertently disturbed. There would be no impacts to site 41 VV 659. Site AMIS 2009-1 consists of a surface scatter of fire-cracked rocks and lithics. The site lacks integrity and research potential, and is considered ineligible for listing in the NRHP or for designation as a State of Texas archeological landmark.

If significant archeological resources are discovered during construction, all work in the immediate vicinity of the discovery would be halted until the resources are identified and documented, and an appropriate mitigation strategy developed in consultation with the Texas State Historic Preservation Office and, if necessary, any associated 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 U.S.C. 3001) of 1990 would be followed. The NPS also would ensure that all contractors and subcontractors are informed of the penalties for illegally collecting artifacts or intentionally damaging archeological sites.

Because there would be no impacts to archeological resources eligible either for listing in the NRHP or designation as a State of Texas archeological landmark, archeological resources was dismissed as an impact topic.

Historic Structures

Section 106 of the NHPA of 1966, as amended (16 U.S.C. 470, et seq.) and its implementing regulations under 36 CFR 800 require all federal agencies to consider effects of federal actions on historic properties, including historic structures, eligible for or listed in the NRHP. In order for a structure to be listed in the NRHP, it must be associated with an important historic event, person(s), or that embodies distinctive characteristics or qualities of workmanship. Cultural resources investigations found no historic structures within the APE eligible for listing on the NRHP (NPS 2009a). Because there are no historic structures in the APE that would be affected by the No Action or Preferred Alternative, this topic was dismissed from further discussion in this EA.

Cultural Landscapes

According to the NPS Director's Order – 28: *Cultural Resource Management Guideline* (page 87), 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. The character of a cultural landscape is defined both by physical materials, such as roads, buildings, walls, and vegetation, and by use reflecting cultural values and traditions.

The proposed facility site is currently used as a maintenance “boneyard” for parts, materials, and equipment storage. An L-shaped overflow parking area paved with limestone aggregate is at the north end of the APE, and a modern campground and picnic area is at the southern end. As previously described, there are no historic structures in the vicinity and no ethnographic resources are present. Much of the project area is devoid of vegetation due to past and continued disturbance. The vegetation present is Tamaulipan shrubland common to the Chihuahuan desert. Due to the absence of ethnographic resources and significant structures, vegetation, circulation features, spatial organization, or land use patterns, cultural landscapes was dismissed as an impact topic.

Museum Collections

Museum collections include prehistoric and historic artifacts, natural specimens, and archival and manuscript material. These collections may be threatened by fire, vandalism, natural disasters, and careless acts. The preservation of museum collections is an ongoing process of preventative 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. The Preferred Alternative and No Action Alternative would not affect the museum collections of Amistad, and there is no potential to add objects to the collection; therefore, museum collections were dismissed as an impact topic in this EA.

Wilderness

The proposed project is not located within existing or proposed wilderness boundaries and, therefore, is not subject to Wilderness Act requirements. Because there would be no direct effects on wilderness resources and values, this topic was dismissed from further evaluation in this EA.

Wild and Scenic Rivers

In 1978, Congress designated a 196-mile portion of the Rio Grande from the Chihuahua/Coahuila state line in Mexico to the Terrell/Val Verde county line in Texas as part of the National Wild and Scenic Rivers System. The wild and scenic portion of the Rio Grande does not extend to Amistad, and would not be affected by the project. Because no wild and scenic rivers occur in or near the project area, this impact topic was dismissed in this EA.

Natural Soundscapes

An important part of the NPS mission is preservation of natural soundscapes associated with national park units as indicated in NPS *Management Policies 2006* and Director's Order – 47: *Sound Preservation and Noise Management*. Natural soundscapes exist in the absence of human-caused sound. The natural ambient soundscape is the aggregate of all natural sounds within the park, together with the physical capacity for transmitting natural sound through air, water, or solid material. Acceptable frequencies, magnitudes, and durations of human-caused sound varies among national park units, as well as potentially throughout each park unit, but are generally greater in developed areas and less in undeveloped areas. Amistad strives to preserve the natural soundscape associated with the physical and biological resources of the park. The project area is a previously disturbed area near a road, parking lot, boat ramps, and other facilities that currently has high visitor use with more traffic and background noise than most areas of the park. The proposed project would introduce additional noise and traffic from visitors and park staff, including 24-hour use by NPS law enforcement and Border Patrol. Because the proposed joint operations facility is located within an existing high use area, the additional impact to the soundscape would be localized, long-term, minor, and adverse. For these reasons, natural soundscapes was dismissed as an impact topic in this EA.

ALTERNATIVES

INTRODUCTION

This chapter describes the No Action Alternative and the Preferred Alternative for construction of the joint operations facility. The No Action Alternative would not construct a joint operations facility and the park would continue using existing facilities at the present level of management, operations, and maintenance. The Preferred Alternative was developed to address the project purpose and need, and to meet the objectives for increasing the efficiency and safety of park operations, and improving visitor services while protecting and preserving park natural and cultural resources.

The Preferred Alternative presents the NPS's management preferred 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 project objectives, and a summary comparison of the environmental effects of the alternatives.

NO ACTION ALTERNATIVE

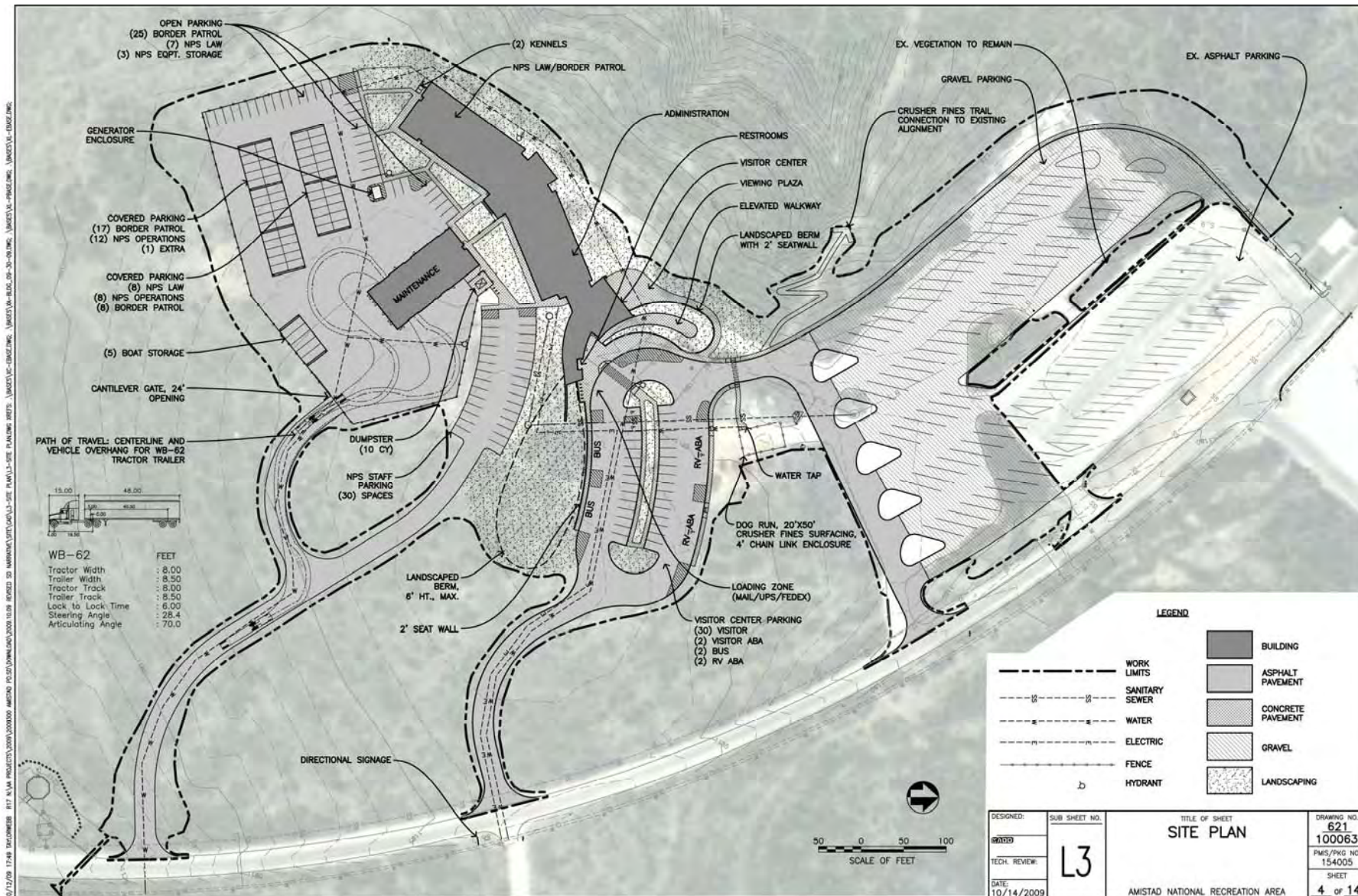
Under the No Action Alternative, the joint operations facility would not be constructed. Amistad staff would continue to use the existing leased facilities located outside of the park. The No Action Alternative would not address safety and efficiency issues associated with current park facilities. NPS would continue to lease the current buildings for the short term. The lease for the building housing the maintenance facility and visitor contact facility will expire in less than 3 years and NPS would need to lease another building that would likely be located more than 10 miles from the park. The lease on the headquarters building also expires in 3 years, but the lease could possibly be renewed. This facility would remain inadequate to meet administrative needs, and safety concerns would not be addressed. The Border Patrol would continue to use trailers located on NPS land. No funds would be expended for construction of a joint operations facility; however, excessive costs to heat and cool the leased buildings and for travel to the park would continue.

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 NPS would respond to future needs and conditions without major actions or changes in the present course.

MANAGEMENT PREFERRED ALTERNATIVE

The Preferred Alternative is construction of a joint operations facility in the Diablo East area of Amistad (Figure 3). The facility would include about 28,000 square feet to house activities including law enforcement operations, park headquarters, maintenance operations, a visitor contact facility, and space for the Border Patrol. The facility would include administrative offices, a communications center, a fitness room, a new visitor contact facility, multi-purpose theater, maintenance areas, and secure storage for vehicles and equipment. In

FIGURE 3. AMISTAD JOINT OPERATIONS FACILITY LAYOUT



addition to construction of a new building to house the joint operations facility, the Preferred Alternative would include a separate building for maintenance; a new parking lot at the visitor contact facility for cars, buses, and recreational vehicles (RVs); a new access road to staff parking; and a new access road to the visitor contact facility parking lot. The proposed facility would be a one-story structure designed to encourage interaction between departments and provide a convenient and comfortable structure for staff and visitors (Figure 4).

The joint operations facility would strive to achieve the highest possible rating (at least the “silver” level) under the U.S. Green Building Council’s (USGBC) Leadership in Energy and Environmental Design (LEED) for New Construction, Version 2009. Sustainability goals developed during planning for the facility design (Ambient Energy 2009) included:

- Enhance the user experience;
- Incorporate regional characteristics into the design;
- Incorporate park views into the design; and
- Enable a high level of security.

Three building options were considered for the Amistad facility to meet energy efficiency and sustainability goals. One option included a campus type arrangement with separate buildings for each of the departments. Another option included a two story structure. While all of the building designs and layouts were similar in nature, the NPS selected the alternative using the “Choosing by Advantages” process as part of a value analysis (Andrews & Anderson Architects 2009). The selected design best met project objectives and sustainability goals. Some of the key features in the selected facility design include:

- Optimization of energy performance including use of a photovoltaic system and possibly wind turbines to generate electricity;
- Ample use of natural lighting along with energy efficient lighting with automatic occupancy sensing lighting controls;
- Thick, earth-rammed walls for thermal mass;
- Large roof space for an opportunity for skylights, green roof, and photovoltaics;
- Layout orientation to help minimize the southwest wall area;
- A grey water harvesting system;
- Enhanced mechanical, electrical and plumbing systems;
- Use of recycled materials and a high performance building envelope; and
- Facility orientation to provide dramatic views of Amistad Reservoir and the surrounding park.

FIGURE 4. CONCEPTUAL DRAWING OF VISITOR CONTACT FACILITY ENTRANCE

The project area is currently used as a maintenance “boneyard” for parts, materials, and equipment storage. A buoy maintenance shed and six RV pads with hookups and shade structures also occupy part of the project area. An L-shaped overflow parking area paved with limestone aggregate is located on the north end of the project area.

The project would require removal of existing pavement, fences, utilities, and related site improvements within an existing disturbed area of about 5 acres. The project also would require removal of about 7.4 acres of native vegetation in previously undisturbed areas. Where vegetation is removed, topsoil would be stockpiled for use in reclamation of temporarily disturbed areas. Excavations for the proposed construction would require use of specialized heavy equipment and deep excavation may require jack-hammering or drilling and blasting to facilitate rock break-up and removal. Paved areas would be covered by 3 inches of asphalt over 4 inches of aggregate base course. An existing sand-oil separator located near the buoy maintenance shed would be abandoned. The current Border Patrol offices within the park would be redeveloped as RV sites for occasional use by research scientists or visiting park staff.

Stormwater detention facilities would be used to capture runoff from developed areas. The type of stormwater facility has not been determined, although shallow bioswales are being considered. Runoff is likely to be mostly overland flow with minimal storm piping. Site grading would direct runoff to the stormwater quality facilities and provide drainage away from the new buildings. A new 8-inch PVC sewer main would be required for the project, with 6-inch PVC service lines to each building. The new sewer line would connect either to an existing manhole northeast of the buoy maintenance shed or to an existing sewer main. Water service to the joint operations facility would be provided by connections to the existing water lines near existing facilities in the project area. A new water storage tank may

be needed to meet fire safety standards, and four to five new fire hydrants are expected to be required.

Following construction, temporarily disturbed areas of about 1.2 acres adjacent to the joint operations facility and parking lots would be revegetated with grasses, cacti, succulents, and shrubs native to the project area. Establishment of vegetation would require temporary irrigation. Cisterns would store roof drainage for irrigation. Native plant material with shallow roots may be salvaged and containerized from the project area prior to grading. Additional plant material would be required from sources outside the park. A portion of the joint operations facility roof would be a green roof using 12 inches of soil and plant species native to the site. The green roof would require supplemental irrigation for establishment.

The estimated construction cost of the project is \$15.5 million. The Department of Homeland Security, Border Patrol would provide about \$2.5 million to fund its portion of the joint operations facility.

MITIGATION

Mitigation measures to protect natural resources, cultural resources, and other values, as described in Table 2, would be implemented under the Preferred Alternative.

TABLE 2. MITIGATION MEASURES

Resource Area	Mitigation
General Considerations	<p>Construction zones would be identified with construction fence, silt fence, or similar material prior to 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 roadsides, culvert areas, and other areas inside the designated construction limits. No machinery or equipment would access areas outside the construction limits.</p> <p>Construction equipment staging would occur within existing disturbed areas such as parking lots. 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 of time.</p> <p>Material and equipment hauling would comply with all legal load restrictions. Load restrictions on park roads are identical to state load restrictions with such additional regulations as may be imposed by the park superintendent.</p> <p>Water sprinkling would be used as needed to reduce fugitive dust in work zones.</p> <p>All tools, equipment, barricades, signs, surplus materials, and rubbish would be removed from the project work limits upon project completion.</p>

Resource Area	Mitigation
Water Quality and Soils	<p>Erosion-control best management practices (BMPs) for drainage and sediment control, as identified and used by the NPS, 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, temporary sediment ponds, check dams of pea gravel-filled burlap bags or other material, and/or immediate mulching of exposed areas to minimize sedimentation and turbidity impacts from construction activities. Silt fencing fabric would be inspected daily during project work and weekly after project completion, until removed. Accumulated sediments would be removed when the fabric is estimated to be approximately 75 percent full. Silt removal would be accomplished in such a way as to avoid introduction into any flowing water bodies.</p> <p>Regular site inspections would be conducted to ensure that erosion-control measures are properly installed and functioning effectively.</p> <p>The operation of ground-disturbing equipment would be temporarily suspended during large precipitation events to reduce the production of sediment.</p> <p>A SWPPP would be developed and approved by the park 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 the commencement of work.</p> <p>Prior to the start of construction, a hazardous spill plan would be required from the contractor 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>
Vegetation	<p>Site reclamation and revegetation would use appropriate BMPs that include planting native plants. Until the soil is stable and vegetation is established, erosion-control measures would be implemented to minimize erosion and prevent sediment from reaching streams.</p> <p>Temporary barriers would be provided to protect existing vegetation. Trees or other plants would not be removed, injured, or destroyed without prior approval.</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"> • Soil disturbance would be minimized; • 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; • Staging areas outside the park would be surveyed for noxious weeds and treated appropriately prior to use; • All fill, rock, and additional topsoil would be obtained from stockpiles from previous projects or excess material from this project, if possible; and if not possible, then weed-free fill, rock, or additional topsoil would be obtained from sources outside the park. NPS personnel would certify that the source is weed free; and • Monitoring and follow-up treatment of exotic vegetation would occur after project activities are completed.
Wildlife	<p>The construction contractor would be required to keep all garbage and food waste contained and removed daily from the work site to avoid attracting wildlife into the construction zone. Construction workers would be instructed to remove food scraps and not feed or approach wildlife.</p>

Resource Area	Mitigation
Special Status Species	<p>Surveys for Texas horned lizard, Texas indigo snake, and Texas tortoise would be conducted prior to disturbance of suitable habitat. If any of these species are found, the area would be avoided (if practicable), mitigation measures would be implemented to minimize impacts, or affected animals would be relocated.</p> <p>Sensitive plant surveys would be conducted prior to disturbance of any suitable habitat. If sensitive species are found, the area would be avoided (if practicable), mitigation measures would be implemented to minimize impacts, or affected plants would be transplanted.</p>
Visual Resources	The joint operations facility would be designed to blend in with the landscape with minimal visual intrusion.
Visitor Experience, Public Health and Safety, and Park Operations	<p>Visitors would be informed in advance of construction activities via a number of outlets including the park website, newspaper, and visitor contact facility.</p> <p>The joint operations facility would achieve the highest possible rating (at least the “silver” level) under the USGBC’s LEED for New Construction, Version 2009. Applying LEED standards would reduce electricity consumption and related costs by about 40 to 50 percent.</p>

ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED ANALYSIS

Lease Off-Site Buildings

The NPS conducted a real estate review of the greater Del Rio area to determine if other buildings would be available when the lease on current facilities expires in about 3 years. No existing structures or planned new developments were identified that would meet the requirements for housing law enforcement, park headquarters, maintenance facility, and visitor contact facility. An off-site facility or use of multiple buildings at different locations would not meet the goal of consolidating park operations at a single location within the park. Because no suitable facilities were identified, this alternative was eliminated from further consideration.

Alternative Facility Location

NPS considered construction of new joint operations facility at a location other than the Diablo East area. However, other building sites would require development of undisturbed sites and greater disturbance to park resources than the Preferred Alternative. The proposed location is already disturbed, and would result in fewer impacts to existing vegetation and wildlife habitat. In addition, the proposed site at Diablo East has an existing water supply and sanitary sewer services. Use of an alternative site within the park would require development of new well and septic systems. Alternative sites within the park were eliminated from further consideration because of the environmental disturbance, infrastructure requirements, and cost.

Alternative Facility Designs

NPS considered several alternative facility designs for the Diablo East site that included different building layouts, features, orientation, and parking configurations. Alternative facility designs included a “campus” design with multiple buildings and a two-story design with the visitor contact facility on the ground floor and administrative offices on the second floor. Selection of the final design was an iterative process involving park staff, DSC specialists, contract architects, and engineers. Alternative facility designs were not substantially different from the final design selected as the Preferred Alternative.

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 such as the statutory mission of the NPS 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 improve public safety and the effectiveness and efficiency of park operations and 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) it would not meet the stewardship responsibility for protecting park resources (goal 1); 2) it would not improve public health and safety (goals 2 and 3); 3) it would not improve visitor access and services within the park (goal 5); and 4) it would not improve energy efficiency and reduce 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, 5, and 6.

The NPS 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 to protect resources (goal 1). The Preferred Alternative would improve public health and safety (goals 2 and 3) and would improve the efficiency of park operations and implement 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 3.

TABLE 3. ALTERNATIVES COMPARISON

No Action Alternative	Preferred Alternative Construct Joint Operations Facility
Under the No Action Alternative, the joint operations facility would not be constructed. Amistad staff would continue to use the existing leased facilities outside of the park. The lease for the building housing the maintenance and visitor contact facility will expire in less than 3 years and NPS would need to lease a new building that likely would be located more than 10 miles from the park. The lease for park headquarters, which also expires in 3 years, could potentially be renewed. The Border Patrol would continue to use trailers located on NPS land.	Under the Preferred Alternative, NPS would construct a joint operations facility in the Diablo East area of Amistad. The facility would house all Amistad activities including law enforcement operations, park headquarters, maintenance facilities, and visitor contact facility. The facility would include space for the Border Patrol. The Preferred Alternative also would include access roads and new and improved parking areas for visitors and staff.
Meets Objectives?	
The No Action Alternative does not fulfill the project objectives. Health and safety concerns with the condition of existing Amistad facilities would not be addressed. The ability for better cooperation between NPS law enforcement and the Border Patrol to address ongoing illegal drug smuggling and protect park staff and visitor safety would not be improved. The efficiency of park operations would not be improved with continued use of separate facilities located outside of the park. The quality of the visitor experience would not be improved by providing a new visitor contact facility within the park. Park natural and cultural resources would not be affected.	The Preferred Alternative fulfills the project objectives by constructing a joint operations facility that meets current safety codes, improves efficiency of operations, and improves cooperation park law enforcement with the Border Patrol. The Preferred Alternative would improve visitor safety and enjoyment by replacing the current visitor contact facility with a modern ADA-accessible visitor facility, and by increasing the capabilities of law enforcement to address illegal smuggling activities within the park. The efficiency of park operations would improve by consolidating staff offices in a central location within the park, and by improving energy efficiency and reducing operating costs. Natural resource impacts would be minimized by locating the facility in an area of previous disturbance. Cultural resources in the project area would be avoided.

IMPACT SUMMARY

A summary of potential environmental effects for the alternatives is presented in Table 4.

TABLE 4. IMPACT SUMMARY TABLE

Impact Topic	No Action Alternative	Preferred Alternative Construct Joint Operations Facility
Soil Resources	The No Action Alternative would have no adverse effects on soil resources.	The Preferred Alternative would result in the permanent loss of soil productivity on about 6.2 acres of previously undisturbed soils, and temporary disturbance of about 1.2 acres. Impacts on soil resources would be local, short- and long-term, moderate, and adverse from ground clearing, grading, excavating for the building foundation, and constructing access roads and parking lots. Cumulative effects would be local, long-term, moderate, and adverse. Because there would be no major adverse or unacceptable impacts to soil resources, there would be no impairment of park resources or values.
Vegetation	The No Action Alternative would have no effects on vegetation in the project area, although establishment of noxious weeds at the “boneyard” from periodic disturbances is possible.	The Preferred Alternative would have local long-term moderate adverse effects on vegetation from construction disturbances that are estimated to result in the permanent loss of about 6.2 acres of native shrubland vegetation. Weed establishment in areas of disturbed soil is also possible, but would be minimized with weed-control BMPs.
Wildlife	The No Action Alternative would have no new effects on wildlife or wildlife habitat.	The additional noise and disturbance during construction would result in local short-term minor adverse effects on wildlife. The permanent loss of 6.2 acres of shrub habitat and increased human presence in the project area following construction would result in local long-term minor adverse impacts to wildlife. Potential effects to fish from possible impacts to water quality in Amistad Reservoir during construction would be short-term, negligible, and adverse.
Special Status Species	The No Action Alternative would have no new impacts on special status species and no cumulative effects.	The Preferred Alternative would have no effect on federally listed and candidate species. Noise and disturbance during construction could temporarily displace or deter some sensitive wildlife species from the project area. Construction of the joint operations facility would result in the permanent loss of about 6.2 acres of native shrub vegetation that provides potential habitat for Texas horned lizard, Texas indigo snake, Texas tortoise, cave myotis, greater western mastiff, pale Townsend’s big-eared bat, and Yuma myotis. Because of the existing habitat disturbance and high visitor use in the vicinity of the project area, effects would be local, long-term, minor, and adverse. No adverse impact on sensitive plant species is anticipated because of the lack of suitable habitat, and there are no threatened or endangered plant species in the project area.

Impact Topic	No Action Alternative	Preferred Alternative Construct Joint Operations Facility
Visitor Experience and Recreation Resources	Effects on the visitor experience and recreation resources under the No Action Alternative would be park-wide, long-term, moderate, and adverse.	The placement of a modern convenient visitor contact facility with all of the planned associated amenities within the boundary of the park would result in a long-term beneficial effect to the quality of the visitor experience and recreation resources.
Visual Resources	The No Action Alternative would have no effect on visual resources.	The joint operations facility would result in a local long-term moderate adverse impact to scenic resources from the visual intrusion of a new building complex to the landscape, but the visitor contact facility also would provide a beneficial effect by providing visitors with an opportunity for scenic views of Amistad Reservoir and surrounding lands.
Public Health and Safety	The No Action Alternative would result in park-wide long-term moderate adverse effects on public health and safety. Known safety concerns associated with existing facilities, as well as effective law enforcement for drug smuggling across the border would not be addressed.	The Preferred Alternative would result in long-term beneficial effects on public health and safety by meeting current building codes and helping to reduce illegal smuggling activities in the park.
Park Operations	The No Action Alternative would result in park-wide long-term moderate adverse effects on park operations by not addressing the inadequate and remote facilities for administration, maintenance, law enforcement, and visitor contact.	The Preferred Alternative would result in long-term beneficial effects on park operations by consolidating law enforcement facilities (NPS and Border Patrol), park headquarters, maintenance facilities, and visitor contact facility at a joint facility located within the park. The new joint operations facility would improve efficiency and effectiveness of park operations.

AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

INTRODUCTION

This section 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. NPS policy also requires an evaluation of potential impairment of park resources and the potential for generating unacceptable levels of impact. More detailed information on resources in Amistad may be found in the Amistad Draft GMP/EA (NPS 2006b).

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 identified in the “Mitigation” section of this EA would be implemented for the Preferred Alternative. Overall, the NPS 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), park-wide (in Amistad), or regional (in Vale Verde County, Texas, and nearby).

Impact Intensity: Impact intensity is defined individually for each impact topic. There may be no impact, or impacts may be negligible, minor, moderate, or major.

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 in the next section.

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 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 the Preferred and No Action alternatives with other past, present, and reasonably foreseeable future actions. Therefore, it was necessary to identify other ongoing or reasonably foreseeable future projects near Amistad or the surrounding region that might contribute to cumulative impacts. The geographic scope of the analysis includes actions in the project area as well as other actions in the park or surrounding lands where overlapping resource impacts are possible. The temporal scope includes projects within a range of approximately 10 years.

Past, present, and reasonably foreseeable 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 natural resource, park operation, or visitor use. The impacts of reasonably foreseeable actions 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 and Current Actions

Past actions include activities that have influenced and affected the current conditions of the environment near the project area. The Diablo East Subdistrict is currently one of the most popular visitor locations in the park, and contains several existing developments including roads, parking areas, boat ramps, a government and public marina, comfort stations, and a ranger building. The proposed location for the joint operations facility is in an area currently used for storing surplus equipment, vehicles, and materials.

Future Actions

Several future actions are planned or likely to occur in or near the project area. After construction of the joint operations facility, the park may construct a new trail from the new visitor contact facility to Amistad Reservoir. Widening of East Diablo Road or construction of additional lanes may be needed in the future to accommodate increased traffic to the joint operations facility from the intersection with State Highway 90. The park also may make minor improvements to the existing gravel road to the reservoir that begins on East Diablo Road at the intersection with the proposed new access road to the joint operations facility. Amistad is considering construction of a breakwater system at the mouth of Diablo East Harbor. Possible designs for the breakwater system include rock jetties on existing

peninsulas at the mouth of the harbor, breakwater platforms between pillars anchored to the lake bottom, and a floating breakwater system with anchors and cables extending into the water. No other reasonably foreseeable actions were identified within the immediate project area that would potentially contribute to cumulative effects.

In the broader geographic area within Amistad, the Border Patrol plans to relocate and modernize the Amistad Dam land port of entry (port of entry). The new port of entry would be located just to the east of the dam, about 2 miles west of the proposed joint operations facility. A draft EA for this project was completed in July 2009 (U.S. Customs and Border Protection 2009).

Housing development could occur in the future on private land surrounding the reservoir. Land surrounding the park on the U.S. side is mostly private property. Future residential development will depend on regional economic growth, but it is likely that some increased level of development could occur over the next 10 years.

IMPAIRMENT OF AMISTAD NATIONAL RECREATION AREA RESOURCES OR VALUES

In addition to determining the environmental consequences of the alternatives, NPS *Management Policies 2006* and Director's Order – 12 require an analysis of potential effects to determine if actions would impair park resources or cause unacceptable impacts. The fundamental purpose of the national park system established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park and monument resources and values. However, the laws do give NPS management discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, as long as the impact does not constitute impairment of the affected resources and values. Although Congress has given NPS management discretion to allow certain impacts within parks, that discretion is limited by statutory requirements that the NPS must leave park resources and values unimpaired, unless a particular law directly and specifically provides otherwise.

The prohibited impairment is an impact that would, in the professional judgment of the responsible NPS manager, harm the integrity of park resources or values, including opportunities that would otherwise be present for the enjoyment of those resources or values. An impact to any park resource or value may constitute an impairment. However, an impact would more likely constitute impairment to the extent it affects a resource or value whose conservation is:

- Necessary to fulfill specific park purposes identified in the established legislation or proclamation of the park;
- Key to the natural and cultural integrity of the park or to opportunities for enjoyment of the park; or
- Identified as a goal in the park's general management plan or other relevant NPS planning documents.

Impairment may result from NPS activities in managing the park, visitor activities, or activities undertaken by concessioners, contractors, and others operating in Amistad. The discussion of environmental consequences includes a determination on impairment in the conclusion statement of the appropriate impact topics for each alternative. Impairment statements are not required for visitor experience/recreational values, socioeconomic values, or park operations.

UNACCEPTABLE IMPACTS

The impact threshold at which impairment occurs is not always readily apparent. Therefore, the NPS applies a standard that offers greater assurance that impairment will not occur. The NPS does this by avoiding impacts that it determines to be unacceptable. These impacts fall short of impairment, but are still not acceptable within a particular park's environment. Park managers must not allow uses that would cause unacceptable impacts; they must evaluate existing or proposed uses and determine whether the associated impacts on park resources and values are acceptable.

For purposes of these policies, unacceptable impacts are impacts that, individually or cumulatively, would:

- be inconsistent with a park's purposes or values, or impede the attainment of a park's desired future conditions for natural and cultural resources as identified through the park's planning process, or
- create an unsafe or unhealthful environment for visitors or employees, or
- diminish opportunities for current or future generations to enjoy, learn about, or be inspired by park resources or values, or
- unreasonably interfere with:
 - park programs or activities, or
 - an appropriate use, or
 - the atmosphere of peace and tranquility, or the natural soundscape maintained in wilderness and natural, historic, or commemorative locations within the park, or
 - NPS concessioner or contractor operations or services.

A determination on unacceptable impacts is made in the conclusion statement of each impact topic for each alternative in the environmental consequences discussion.

SOILS

Affected Environment

Soils in a majority of the project area have been mapped as Zorra-rock outcrop complex, 1 to 8 percent slopes (NRCS 2009). Soils on the steeper slopes in the northwest portion of the project area have been mapped as Langtry-rock outcrop association, very steep (NRCS 2009). These are shallow soils derived from weathered limestone with scattered areas of limestone bedrock exposed at the surface. Zorra soils are droughty, stony, have low available

water for plant growth, and have low erosion potential. Zorra soils typically have an 8-inch surface layer of moderately alkaline, dark brown stony loam overlying 4 inches of caliche. Below the caliche layer is a 3-inch layer of fractured limestone with calcium carbonate within the cracks. The surface of Zorra soils are typically covered by gravel and cobbles from limestone parent material. Langtry soils have similar characteristics to Zorra soils, but are highly erodible due to steep slopes of 15 to 70 percent. About 5 acres of the project area has already been disturbed on the surface by land clearing, grading, and erosion.

Impact Intensity Threshold

Available information on potentially impacted soils in the project area was compiled. Potential impacts from the alternatives were based on professional judgment and experience with similar actions. The threshold of change for the intensity of an impact on soil resources is defined in Table 5.

TABLE 5. SOIL RESOURCES IMPACT AND INTENSITY

Impact Intensity	Intensity Description
Negligible	The effects on soils would be below or at a very low level of detection. Any effects on productivity or erosion potential would be slight.
Minor	An action's effects on soils would be detectable. The effects would change a soil's profile in a relatively small area, but would not appreciably increase the potential for erosion of additional soil. If mitigation were needed to offset adverse effects, it would be relatively simple to implement and would likely be successful.
Moderate	An action would result in a change in quantity or alteration of the topsoil, overall biological productivity, or the potential for erosion to remove small quantities of soil. Changes to localized ecological processes would be limited. Mitigation measures would probably be necessary to offset adverse effects and would likely be successful.
Major	An action would result in a change in the potential for erosion to remove large quantities of soil or in alterations to topsoil and overall biological productivity in a relatively large area. Key ecological processes would be altered, and landscape-level changes would be expected. Mitigation measures to offset adverse effects would be necessary, extensive, and their success could not be guaranteed.

Short-term impact—recovers in less than 3 years

Long-term impact—takes more than 3 years to recover

Environmental Consequences

No Action Alternative

Direct and Indirect Impacts of the Alternative. No disturbance to soil resources would occur because no construction would occur. The No Action Alternative would have no effect on soil resources.

Cumulative Impacts. Past actions, such as use of the project area to store surplus equipment and vehicles, have resulted in impacts to the soil surface, such as compaction from vehicle traffic. Future projects, such as relocation of the port of entry and nearby road improvements, would result in a disturbance and loss of soil resources in a local area. Future housing development on private land surrounding Amistad could result in regional losses of soil resources and erosion at locations bordering the reservoir. Past, present, and reasonably foreseeable future projects would have regional and local long-term moderate adverse effects on soil resources. There would be no cumulative impacts because the No Action Alternative would not result in additional impacts to soils when combined with the effects of past, present, and reasonably foreseeable future projects.

Conclusion. The No Action Alternative would have no adverse effects on soil resources. Effects of past, present, and reasonably foreseeable actions would be local, long-term, moderate, and adverse. There would be no cumulative impacts to soils. Because there would be no major adverse or unacceptable impacts to soil resources, there would be no impairment of park resources or values.

Preferred Alternative—Construct Joint Operations Facility

Direct and Indirect Impacts of the Alternative. Construction of the joint operations facility would include activities such as ground clearing, grading, excavating for the building foundation, and constructing access roads and parking lots. These activities would occur partially within previously disturbed areas, but would also affect undisturbed soils. Construction of the joint operations facility would result in disturbance to about 7.4 acres of previously undisturbed soil resources. Exposed soil material during construction would be subject to erosion until stabilized or revegetated. Following revegetation of temporarily disturbed areas of about 1.2 acres, a long-term loss of soil productivity on 6.2 acres within the footprint of the joint operations facility would occur. Planned use of temporary erosion-control BMPs would reduce the potential for short-term erosion and soil loss during construction. The proposed stormwater quality plan would provide long-term measures to control runoff and reduce the potential for erosion and soil loss. Impacts to soils would be local, short-term, moderate, and adverse.

Cumulative Impacts. Past actions, such as use of the project area to store surplus equipment and vehicles, have resulted in impacts to the soil surface (e.g., compaction from vehicle traffic). Planned future projects, such as nearby road improvements, construction of a trail from the new visitor contact facility to the reservoir, and relocation of the port of entry, would result in additional disturbance and loss of soil resources. Future housing development on private land surrounding Amistad could result in regional loss of soil resources and erosion at locations bordering the reservoir. The combined effects of past, present, and reasonably foreseeable actions on soils would be local to regional, long-term, moderate, and adverse. The overall cumulative impacts to soil resources from the Preferred Alternative in combination with past, present, and reasonably foreseeable future actions would be local to regional, long-term, moderate, and adverse. The 6.2 acres of soil disturbance from the Preferred Alternative would be a relatively small contribution to the overall cumulative impacts.

Conclusion. The Preferred Alternative would result in the permanent loss of soil productivity on about 6.2 acres of previously undisturbed soils, and temporary disturbance of about 1.2 acres. Impacts on soil resources would be local, short-and long-term, moderate, and adverse from ground clearing, grading, excavating for the building foundation, and constructing access roads and parking lots. Cumulative effects would be local to regional, long-term, moderate, and adverse. Because there would be no major adverse or unacceptable impacts to soil resources, there would be no impairment of park resources or values.

VEGETATION

Affected Environment

A vegetation inventory within Amistad found 583 vascular plant species, and noted that another 124 species were documented to occur but were not found during the inventory, and an additional 137 species have a high likelihood of occurrence (Poole undated). The plant community in the project area and in surrounding areas within Amistad is Tamaulipan shrubland and Chihuahuan desert. A large portion of the project area is unvegetated due to past disturbance. Plant species in the vegetated portion of the project area are Tamaulipan shrubland species such as guajillo (*Acacia berlandieri*), cenizo (*Leucophyllum frutescens*), Torrey and Thompson's yuccas (*Yucca torreyi* and *Y. thompsoniana*), blackbrush (*Acacia rigidula*), catclaw acacia (*Acacia greggii*), honey mesquite (*Prosopis glandulosa*), prickly pear (*Opuntia* sp.), leatherstem (*Jatropha dioica*), feather dalea (*Dalea formosa*), and pitaya cactus (*Echinocereus enneacanthus*). These species are mostly low shrubs adapted to grow in dry conditions. Chihuahuan desert species, such as stool (*Dasylirion texanum*) and lechuguilla (*Agave lechuguilla*), also occur on the slopes in the northwest corner of the project area.

Impact Intensity Threshold

Predictions about impacts were based on the expected disturbance to vegetation communities, and professional judgment and experience with previous projects. The thresholds of change for the intensity of an impact on vegetation are defined in Table 6.

TABLE 6. VEGETATION IMPACT AND INTENSITY

Impact Intensity	Intensity Description
Negligible	The impacts on vegetation (individuals or communities) would be barely detectable. The abundance or distribution of individuals would not be affected or would be slightly affected. The effects would be on a small scale and no species of special concern would be affected. Ecological processes and biological productivity would not be affected.
Minor	The action would not necessarily decrease or increase the project area's overall biological productivity. The alternative would affect the abundance or distribution of individuals in a localized area, but would not affect the viability of local or regional populations or communities. Mitigation to offset adverse effects, including special measures to avoid affecting species of special concern, would be required and would be effective. Mitigation may be needed to offset adverse effects, would be relatively simple to implement, and would likely be successful.
Moderate	The action would result in effects on some individual native plants and would also affect a sizeable segment of the species' population over a relatively large area. Permanent impacts would occur to native vegetation, but in a relatively small area. Some special status species also would be affected. Mitigation measures would be necessary to offset adverse effects and would likely be successful.
Major	The action would have considerable effects on native plant populations, including special status species, and would affect a relatively large area within and outside the park. Extensive mitigation measures to offset the adverse effects would be required; success of the mitigation measures could not be guaranteed.

Short-term impact—recovers in less than 1 year

Long-term impact—takes more than 1 year to recover

Environmental Consequences

No Action Alternative

Direct and Indirect Impacts of the Alternative. The No Action Alternative would have no effect on vegetation. There would be no project-related ground disturbance with the potential to adversely impact vegetation. The existing use of the project area to store equipment and vehicles would continue. Existing and occasional land disturbance at the “boneyard,” where the proposed joint use facility would be located under the Preferred Alternative, could result in the introduction or establishment of exotic or noxious weeds.

Cumulative Impacts. Past and ongoing land uses, such as adjacent parking areas, boat ramps, and other recreation facilities, have resulted in vegetation clearing in the vicinity of the project area. Planned future projects such as nearby road improvements, and relocation of the port of entry would result in temporary and permanent vegetation removal. Future housing development on private land surrounding Amistad could result in regional loss or disturbance to vegetation. Past, present, and reasonably foreseeable future projects would have a regional and local long-term moderate adverse effect on vegetation resources. There would be no cumulative impacts because the No Action Alternative would not result in additional incremental impacts to vegetation when combined with the effects of past, present, and reasonably foreseeable future projects.

Conclusion. The No Action Alternative would have no effects on vegetation in the project area, although establishment of noxious weeds at the “boneyard” from periodic disturbances is possible. Effects of past, present, and reasonably foreseeable future projects would be local, long-term, moderate, and adverse, with no contribution to cumulative effects from the No Action Alternative. Overall, there would be no major adverse or unacceptable impacts to vegetation and, therefore, there would be no impairment of park resources or values from the No Action Alternative.

Preferred Alternative—Construct Joint Operations Facility

Direct and Indirect Impacts of the Alternative. Construction of the joint operations facility would require grading and clearing on about 12.5 acres, 5 acres of which are currently unvegetated from previous disturbance and current use of the “boneyard” area to store equipment. Vegetation would be removed for construction of some of the buildings, parking lots, and equipment storage areas, and access roads. Temporary disturbance of 1.2 acres of vegetation around the edges of the proposed facility would be revegetated following construction, resulting in a net loss of about 6.2 acres of Tamaulipan shrubland. Construction activities would be confined to the smallest area necessary to complete the work, and areas of temporarily disturbed vegetation would be restored with native vegetation following construction. Infestation and spread of invasive exotic plants is possible. Weeds frequently invade disturbed ground where they are easily established and out compete native species if left unchecked. Implementation of weed-control BMPs would minimize the potential for weed establishment and long-term impacts. Revegetation of disturbed areas is expected to take more than 1 year because of the low soil fertility water holding capacity of soils, and dry climate. The Preferred Alternative would have local long-term moderate adverse effects from the disturbance and loss of vegetation.

Cumulative Impacts. Past and ongoing land uses, such as adjacent parking areas, boat ramps, and other recreation facilities, have resulted in vegetation clearing in the vicinity of the project area. Planned future projects, such as nearby road improvements, construction of a trail from the new visitor contact facility to the reservoir, and relocation of the port of entry, would result in temporary and permanent vegetation removal. Future housing development on private land surrounding Amistad could result in regional loss or disturbance of vegetation. The combined effects of past, present, and reasonably foreseeable future projects would result in regional and local long-term moderate adverse impacts to vegetation. The overall cumulative impacts to vegetation from the Preferred Alternative in combination with past, present, and reasonably foreseeable future actions would be regional and local, long-term, moderate, and adverse. The loss of 6.2 acres of vegetation under the Preferred Alternative would be a relatively small contribution to the overall cumulative impacts.

Conclusion. The Preferred Alternative would have local long-term moderate adverse effects on vegetation from construction disturbances that are estimated to result in the permanent loss of about 6.2 acres of native shrubland vegetation. Weed establishment in areas of disturbed soil is also possible, but would be minimized with weed-control BMPS. Cumulative effects would be regional and local, long-term, moderate, and adverse. Because there would be no major adverse or unacceptable impacts to vegetation, there would be no impairment of park resources or values.

WILDLIFE

Affected Environment

The diverse vegetation communities within Amistad support a variety of wildlife species. Lands managed by the NPS provide havens for wildlife because they are more protected and generally less developed than privately owned lands. Amistad is located in a transition zone between three major biotic communities: Chihuahuan Desert, Edwards Plateau, and Tamaulipan shrubland. Amistad and Val Verde County are home to 45 species of birds. Commonly observed species include vultures, ravens, scaled quail, mourning and white-winged doves, herons, and sandpipers. Val Verde County is home to 62 species of mammals, many of which have been documented to occur in Amistad, including white-tailed deer, mountain lion, black bear, jackrabbit, skunk, beaver, and various small mammals. About 55 species of amphibians and reptiles are estimated to occur in the park. Species include red spotted toad, Couch's spadefoot, cricket frog, Rio Grande leopard frog, Texas toad, six-lined racerunner, Texas spiny lizard, Texas earless lizard, collared lizard, and Texas banded gecko. Amistad Reservoir is a popular fishing destination, and is home to black bass, striped bass, large-mouth bass, channel catfish, crappie, sunfish, and many other fish species.

Wildlife habitat in the project area has been disturbed by past vegetation clearing and use of the site for equipment storage. Vegetation elsewhere in the project area is mostly shrubs such as mesquite, cenizo, and acacia that provide habitat for a few species of birds, small mammals, and reptiles.

Impact Intensity Threshold

The NPS Organic Act, which directs parks to conserve wildlife unimpaired for future generations, is interpreted to mean that native animal life should be protected and

perpetuated as part of the park's natural ecosystem. Natural processes are relied on to control populations of native species to the greatest extent possible; otherwise they are protected from harvest, harassment, or harm by human activities. According to NPS *Management Policies 2006*, the restoration of native species is a high priority (sec. 4.1). Management goals for wildlife include maintaining components and processes of naturally evolving park ecosystems, including natural abundance, diversity, and the ecological integrity of plants and animals. Information on Amistad wildlife was taken from park documents and records, Amistad natural resource management staff, and other sources. The thresholds of change for the intensity of impacts to wildlife are defined in Table 7.

TABLE 7. WILDLIFE IMPACT AND INTENSITY

Impact Intensity	Intensity Description
Negligible	There would be no observable or barely perceptible impacts to native species, their habitats, or the natural processes sustaining them. Impacts would be well within natural fluctuations.
Minor	Impacts would be detectable and would not be expected to be outside the natural range of variability of native species' populations, their habitats, or the natural processes sustaining them. Mitigation measures, if needed to offset adverse effects, would be simple and successful.
Moderate	Breeding animals of concern are present; animals are present during particularly vulnerable life stages such as migration or juvenile stages; mortality or interference with activities necessary for survival would be expected on an occasional basis, but would not be expected to threaten the continued existence of the species in the park unit. Impacts on native species, their habitats, or the natural processes sustaining them would be detectable and would be outside the natural range of variability. Mitigation measures, if needed to offset adverse effects, would be extensive and likely successful.
Major	Impacts on native species, their habitats, or the natural processes sustaining them would be detectable and would be expected to be outside the natural range of variability. Key ecosystem processes might be disrupted. Loss of habitat might affect the viability of at least some native species. Extensive mitigation measures would be needed to offset any adverse effects and their success could not be guaranteed.

Short-term impact—recovers in less than 1 year

Long-term impact—takes more than 1 year to recover

Environmental Consequences

No Action Alternative

Direct and Indirect Impacts of the Alternative. There would be no new impacts to wildlife or wildlife habitat from the No Action Alternative. Existing impacts from human activity (e.g., equipment storage) in the project area would continue unchanged.

Cumulative Impacts. Past actions, such as use of the project area for equipment storage and adjacent parking areas, roads, boat ramps, and other recreation facilities, have resulted in removal and fragmentation of wildlife habitat in the vicinity of the project area. Planned future projects, such as relocation of the port of entry, would result in temporary and permanent vegetation removal that provides habitat for birds and small mammals. Existing roads and recreation facilities have resulted in the loss and fragmentation of wildlife habitat, and ongoing vehicle traffic and human activity in the project area continue to influence wildlife. Future construction of a breakwater at Diablo East Harbor could impact aquatic species. Future housing development on private land surrounding Amistad could result in additional loss of wildlife habitat. Past, present, and reasonably foreseeable future projects would have regional and local long-term moderate adverse effects on wildlife habitat. There would be no cumulative impacts because the No Action Alternative would not result in

additional incremental impacts to wildlife when combined with the effects of past, present, and reasonably foreseeable future projects.

Conclusion. The No Action Alternative would have no new effects on wildlife or wildlife habitat. Effects of past, present, and reasonably foreseeable future projects would be regional and local, long-term, moderate, and adverse. There would be no cumulative impacts to wildlife. Because there would be no major adverse or unacceptable impacts to wildlife, there would be no impairment of park resources or values.

Preferred Alternative—Construct Joint Operations Facility

Direct and Indirect Impacts of the Alternative. Construction activities would occur within 5 acres of previously disturbed areas that provide no wildlife habitat and on 7.4 acres of undisturbed native vegetation that provides habitat for birds, small mammals, and reptiles. Following construction, about 1.2 acres of vegetation would be restored, resulting in a net loss of about 6.2 acres of wildlife habitat. Human presence and construction noise would temporarily disturb and displace resident wildlife. The construction contractor would be required to keep all garbage and food waste contained and removed daily from the work site to avoid attracting wildlife into the construction zone. Construction workers would be instructed to remove food scraps and not feed or approach wildlife. Increased human use may cause some species that are sensitive to human disturbance to avoid the area. However, the area currently receives heavy visitor use and traffic; therefore, a substantial change in wildlife use is unlikely. The Preferred Alternative would result in local short-term and long-term minor adverse effect on wildlife.

Erosion control BMPs would be implemented to prevent off-site sediment transport to Amistad Reservoir. As a result, potential effects to fish habitat and spawning would be local, short-term, negligible, and adverse.

Cumulative Impacts. Past actions, such as use of the project area for equipment storage and adjacent parking areas, roads, boat ramps, and other recreation facilities, have resulted in removal and fragmentation of wildlife habitat in the vicinity of the project area. Planned future projects, such as construction of a trail from the new visitor contact facility to the reservoir and relocation of the port of entry, would result in temporary and permanent vegetation removal that provides wildlife habitat. Future construction of a breakwater at Diablo East Harbor could impact aquatic species. Future housing development on private land surrounding Amistad could result in loss in wildlife habitat. The combined effects of past, present, and reasonably foreseeable future activities would result in regional and local long-term moderate adverse impacts. The overall cumulative impacts to wildlife from the Preferred Alternative in combination with past, present, and reasonably foreseeable future actions would be regional and local, long-term, moderate, and adverse. The loss of 6.2 acres of shrub habitat and temporary disruption to wildlife during construction under the Preferred Alternative would be a relatively small contribution to the overall cumulative impacts.

Conclusion. The additional noise and disturbance during construction would result in local short-term minor adverse effects on wildlife. The permanent loss of 6.2 acres of shrub habitat and increased human presence in the project area following construction would result in local long-term minor adverse impacts to wildlife. Potential effects to fish from

possible impacts to water quality in Amistad Reservoir during construction would be short-term, negligible, and adverse. Cumulative effects would be regional and local, long-term, moderate, and adverse. Because there would be no major adverse or unacceptable impacts to wildlife, there would be no impairment of park resources or values.

SPECIAL STATUS SPECIES

Affected Environment

Special status species include species listed as threatened, endangered, or candidate under the Endangered Species Act (ESA); species considered sensitive by the park; and species listed as threatened or endangered within Texas by the Texas Parks and Wildlife Department (TPWD 2009). Federally listed and candidate species that may occur in Amistad, based on surveys, staff knowledge, USFWS data, available habitat, and known range are listed in Table 8.

TABLE 8. FEDERALLY LISTED AND CANDIDATE SPECIES, AMISTAD NATIONAL RECREATION AREA

Common Name	Scientific Name	Federal Status	Found in Project Area?
Black-capped vireo	<i>Vireo atricapilla</i>	Endangered	No
Brown pelican	<i>Pelecanus occidentalis</i>	Endangered	No
Interior least tern	<i>Sterna antillarum anatum</i>	Endangered	No
Devil's river minnow	<i>Dionda diaboli</i>	Threatened	No
Texas hornshell	<i>Popenaias popeii</i>	Candidate	No
Texas snowbell	<i>Styrax platanifolius</i> ssp. <i>texanus</i>	Endangered	No
Tobusch fishhook cactus	<i>Sclerocactus brevihamataus</i> ssp. <i>tobuschii</i>	Endangered	No

Source: USFWS 2009.

The black-capped vireo occurs in low brush on steep slopes near dry streambeds. The black-capped vireo has been documented once at Amistad in 1993, and the single bird sighted was most likely passing through the area during migration (NPS 2006a). The project area is covered by Tamaulipan shrubland of mesquite, cenizo, woody acacias, and prickly pear, and is not suitable habitat for this species.

Brown pelicans have been documented flying over Amistad Reservoir several times between 1989 and 1997 (NPS 2006a). There are no documented cases of brown pelicans nesting at Amistad. Brown pelicans are primarily a coastal species, and there is no suitable habitat for this species in the project area.

Interior least terns nest on several islands in Amistad Reservoir and feed in shallow waters nearby within the reservoir (NPS 2006a). Texas Natural Diversity Database (TXNDD) records show that nine nesting colonies of interior least terns have been documented within 1.5 miles of the project area (TXNDD 2009). Their preferred nesting sites have a gravelly surface with no vegetation. The project area is not within suitable nesting or foraging habitat for interior least terns. The shore of Amistad Reservoir near the project area also is not suitable nesting habitat for this species.

The Devil's River minnow occurs in small stream channels in the Devils River, San Felipe Creek, and Pinto Creek. The Devil's River minnow requires flowing water and is not found in standing water such as Amistad Reservoir. The project area and downstream water bodies such as Amistad Reservoir are not suitable habitat for this species.

The Texas hornshell is a freshwater mussel that has been documented in Val Verde County and may occur at Amistad. Its historical distribution includes the Rio Grande, Pecos, and Devil's rivers, but it is now only known to occur in Texas Big Bend National Park. The Texas hornshell is not known to occur in impounded waters such as Amistad Reservoir. The project site and downstream waters are not suitable habitat for this species.

The Texas snowbell is likely to occur in Amistad, but its occurrence within the national recreation area has not been confirmed (NPS 2006a). This plant occurs only on limestone bluffs, cliff faces, and slopes, usually near perennial water sources. It is typically found in sycamore/willow woodlands, oak/juniper woodlands, netleaf hackberry/little walnut woodlands, or plateau live oak/netleaf hackberry woodlands. The project area is not suitable habitat for this species.

The Tobusch fishhook cactus is thought to occur within Amistad, but its presence has not been confirmed (NPS 2006a). Suitable habitat for this species is very shallow gravelly soil in shortgrass grasslands within a mosaic of oak/juniper woodlands. Sites occupied by this species are typically open with only herbaceous cover. The project area is not suitable habitat for this species.

Amistad also provides habitat for other sensitive wildlife species listed as State threatened, endangered, or species of concern (Table 9). Potentially suitable habitat for three reptiles (Texas horned lizard, Texas indigo snake, and Texas tortoise) and four bats (cave myotis, greater western mastiff, and pale Townsend's big-eared bat, and Yuma myotis) is found in the project area.

TABLE 9. SENSITIVE WILDLIFE SPECIES, AMISTAD NATIONAL RECREATION AREA

Common Name	Scientific Name	Sensitivity Status	Potential to Occur in Project Area?*
Peregrine falcon	<i>Falco peregrinus</i>	ST	No
Zone-tailed hawk	<i>Buteo albonotatus</i>	ST	No
Ferruginous hawk	<i>Buteo regalis</i>	SOC	No
Mexican hooded oriole	<i>Icterus cucullatus cucullatus</i>	SOC	No
Western burrowing owl	<i>Athene cunicularia hypugaea</i>	SOC	No
Black bear	<i>Ursus americanus</i>	ST	No
Cave myotis	<i>Myotis velifer</i>	SOC	Yes
Greater western mastiff	<i>Eumops perotis californicans</i>	SOC	Yes
Pale Townsend's big-eared bat	<i>Corynorhinus townsendii pallescens</i>	SOC	Yes
Yuma myotis	<i>Myotis yumanensis</i>	SOC	Yes
Reticulate collared lizard	<i>Crotaphytus reticulatus</i>	ST	No
Texas horned lizard	<i>Phrynosoma cornutum</i>	ST	Yes
Texas indigo snake	<i>Drymarchon corais</i>	ST	Yes
Texas tortoise	<i>Gopherus berlandieri</i>	ST	Yes
Trans-Pecos black-headed snake	<i>Tantilla cucullata</i>	ST	No

Common Name	Scientific Name	Sensitivity Status	Potential to Occur in Project Area?
Blotched gambusia	<i>Gambusia senilis</i>	ST	No
Blue sucker	<i>Cycleptus elongatus</i>	ST	No
Conchos pupfish	<i>Cyprinodon extimius</i>	ST	No
Proserpine shiner	<i>Cyprinella proserpina</i>	ST	No
Rio Grande darter	<i>Etheostoma grahami</i>	ST	No
Rio Grande shiner	<i>Notropis jemezianus</i>	SOC	No
Rio Grande silvery minnow	<i>Hybonathus amarus</i>	SE	No

¹Based on park staff knowledge of the area (Johnson, pers. comm. 2009).

SE = State endangered, ST = State threatened, SOC = State species of concern.

Sources: TPWD 2009; NPS 2006a.

The peregrine falcon, zone-tailed hawk, and ferruginous hawk have been observed at Amistad, but are thought to be irregular visitors (NPS 2006a). The project area does not provide suitable nesting or foraging habitat for these species. The Mexican hooded oriole and Western burrowing owl have been documented nesting at Amistad. Mexican hooded orioles have nested near Amistad Dam. Their preferred nesting habitat is dense mesquite thickets near water. A Mexican hooded oriole was observed near the project area between April 23 and April 26, 1993 (NPS 2006a). A pair of Mexican hooded orioles was seen about 1.5 miles west of the project area during a survey in 1994 (TXNDD 2009). Burrowing owls have been documented near the San Pedro campground in 1975 and in 1994–1995 (NPS 2006a). Burrowing owls prefer open dry grasslands, rangelands, and open desert for nesting. Although Mexican hooded orioles and burrowing owls have been documented to occur at Amistad, the project area is not suitable nesting habitat for either of these species.

Black bears have been observed within the park, but are thought to be irregular visitors. The presence of limestone caves at Amistad provides potential habitat for bats. The cave myotis, greater western mastiff, pale Townsend's big-eared bat, and Yuma myotis have been documented to occur within Amistad, but there are no caves in the project area that could provide roost sites for these species. A mammal survey in 2003 and 2004 documented all four of these bat species within the park (Bahm and Mueller 2005). Bats are often observed feeding near the lights at the Diablo East boat ramps, adjacent to the project area (Garetz, pers. comm. 2009). Based on the known occurrence of these species in the park, and regular observations of bats feeding nearby, the project area is considered suitable foraging habitat for the cave myotis, greater western mastiff, pale Townsend's big-eared bat, and Yuma myotis.

A reptile and amphibian survey in 2003–2004 documented the occurrence of Texas horned lizard, Texas indigo snake, Texas tortoise, and trans-Pecos black-headed snake within Amistad (Prival and Goode 2005). Three Texas horned lizards, six Texas indigo snakes, one Texas tortoise, and one trans-Pecos black-headed snake were found within the park over 2 years of surveys, but none were found within 1 mile of the project area. One Texas tortoise was sighted about 1 mile south of the project area in 1993 (TXNDD 2009). A trans-Pecos black-headed snake was collected about 1.5 miles northeast of the project area in 1967 (TXNDD 2009). The reticulate collared lizard has not been observed at Amistad, but it is thought to occur in Val Verde County (NPS 2006a). Based on available habitat, past surveys,

and observations by park staff, the project area may provide habitat for Texas horned lizard, Texas indigo snake, and Texas tortoise.

The blotched gambusia, blue sucker, Conchos pupfish, Proserpine shiner, Rio Grande darter, Rio Grande shiner, and Rio Grande silvery minnow do not occur in the project area, but several of these species may occur in Amistad Reservoir downstream from the project area. The blotched gambusia is thought to be extirpated from the United States (NPS 2006a), and is unlikely to occur in the reservoir. A blue sucker was collected from Amistad Reservoir in 1978 or 1979 during a fish sampling survey, but this species is more typically found in strong currents in medium to large rivers. The Conchos pupfish has not been collected from Amistad Reservoir, but it is possible this species occurs in the Devil's River within the park upstream from the reservoir (NPS 2006a). The Proserpine shiner occurs in the Devil's River, Lower Pecos River, and nearby tributaries of the Rio Grande. In 1974, one specimen was collected inside the park (not in the reservoir) 1 mile south of the Air Force marina (NPS 2006a). A Rio Grande silvery minnow also was collected inside the park near the Air Force marina, but not in the reservoir in 1974. The Rio Grande shiner was common in Devil's Lake on the Rio Grande before the lake was inundated by construction of Amistad Reservoir, but has not been collected within the reservoir since 1972 (NPS 2006a).

Amistad also hosts 10 plant species considered "species of concern" by the State of Texas because of their limited distribution (endemism) or because they are disjunct from more abundant population centers. Most of the species are known to occur in Val Verde County, and are expected to occur within Amistad (NPS 2006a). Table 10 lists Amistad sensitive plants by habitat. None of the sensitive plant species have been documented from, or are likely to occur in, the project area or were found during an inventory of vascular plants at Amistad (Poole no date). No federally listed plant species occur in the project area.

TABLE 10. SENSITIVE PLANT SPECIES BY HABITAT TYPE IN AMISTAD

Common Name	Scientific Name	Habitat	Potentially Found in Project Area?
Cliff bedstraw	<i>Gallium correllii</i>	Crevices in vertical limestone cliffs	No
Correll's false dragon-head	<i>Physostegia correllii</i>	Perennially or seasonally wet areas along streams and irrigation ditches	No
Perennial caltrop	<i>Kallstroemia perennans</i>	Barren gypseous clays or limestone soils at low elevations in the Chihuahuan Desert	No
Rydberg's scurfpea	<i>Pediomelum humile</i>	Grasslands or cenizo-guajillo shrublands on stony to gravelly shallow clay soils over limestone	No
Sabinal prairie-clover	<i>Dalea sabinalis</i>	Rocky soils on limestone outcrops in grassland openings in juniper oak woodlands	No
Sonora fleabane	<i>Erigeron vetensis</i>	Roadsides and open fields or dry soil of floodplain margins	No
Texas greasebush	<i>Glossopetalon texense</i>	Dry limestone ledges, chalk bluffs, and limestone outcrops	No
Texas trumpet	<i>Acleisanthes crassifolia</i>	Shallow, well-drained, calcareous, gravelly loams over caliche, often in sparsely vegetated openings in cenizo shrublands	No
Warnock's rock-daisy	<i>Perityle warnockii</i>	Crevices in limestone bluffs	No

Common Name	Scientific Name	Habitat	Potentially Found in Project Area?
Wright's water-willow	<i>Justica wrightii</i>	Grasslands or shrublands in dry, gravelly clay soils over limestone at elevations from 2,950 to 4,900 feet	No

Sources: TPWD 2009; NPS 2006a.

Impact Intensity Threshold

Section 7 of the ESA mandates all federal agencies to determine how to use their existing authorities to further the purposes of the ESA to aid in recovering listed species, and to address existing and potential conservation issues. Section 7(a)(2) states that each federal agency shall, in consultation with the Secretary of the Interior, ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. NPS Management Policies 2006 state that potential effects of agency actions would also be considered for state or locally listed species (i.e., special status species). The thresholds of change for the intensity of impacts to special status species are defined in Table 11.

TABLE 11. SPECIAL STATUS SPECIES IMPACT AND INTENSITY

Impact Intensity	Intensity Description
Negligible	The action would result in a change to a population or individuals of a species, but the change would be of barely perceptible consequence and would be well within natural variability. In the case of federally listed species, this impact intensity equates to a USFWS determination of "may affect, not likely to adversely affect."
Minor	The action would result in a change to a population or individuals of a species. The change would be measurable, but small and localized, and not outside the range of natural variability. Mitigation measures, if needed, would be simple and successful. In the case of federally listed species, this impact intensity equates to a USFWS determination of "may affect, not likely to adversely affect."
Moderate	Impacts on special status species, their habitats, or the natural processes sustaining them would be detectable and occur over a large area. Breeding animals of concern are present, and animals are present during particularly vulnerable life stages; mortality or interference with activities necessary for survival would be expected on an occasional basis, but is not expected to threaten the continued existence of the species in the park unit or conservation zone. Mitigation measures would be extensive and likely successful. In the case of federally listed species, this impact intensity equates to a USFWS determination of "may affect, likely to adversely affect."
Major	The action would result in noticeable effects to the viability of the population or individuals of a species. Impacts on special status species or the natural processes sustaining them would be detectable, both inside and outside of the park. Loss of habitat might affect the viability of at least some special status species. Extensive mitigation measures would be needed to offset any adverse effects and their success could not be guaranteed. In the case of federally listed species, the impact intensity equates to a USFWS determination of "may affect, likely to jeopardize the continued existence of a species."

Short-term impact—recovers in less than 1 year

Long-term impact—takes more than 1 year to recover

Environmental Consequences

No Action Alternative

Direct and Indirect Impacts of the Alternative. There would be no new impacts to special status species from the No Action Alternative. Existing disturbance and impacts from human activity in the area would remain unchanged.

Cumulative Impacts. Past actions, such as use of the project area for equipment storage and adjacent parking areas, roads, boat ramps, and other recreation facilities, have resulted in loss of suitable habitat for Texas horned lizard, Texas indigo snake, and Texas tortoise within a portion of the project area and adjacent land. Planned future projects, such as relocation of the port of entry, would result in temporary and permanent vegetation removal that provides potential habitat for special status species (U.S. Customs and Border Protection 2009). Future construction of a breakwater at Diablo East Harbor could have temporary impacts to special status fish species and least tern. Future housing development on private land surrounding Amistad could result in additional impacts to species of concern by removing potential habitat. There would be no cumulative effects to special status species because the No Action Alternative would not contribute additional impacts to special status species when combined with the regional long-term minor adverse effects of past, present, and reasonably foreseeable future projects.

Conclusion. The No Action Alternative would have no new impacts on special status species and no cumulative effects. Effects of past, present, and reasonably foreseeable projects would be regional and local, long-term, minor, and adverse. Because there would be no major adverse or unacceptable impacts to special status species, there would be no impairment of park resources or values.

Preferred Alternative—Construct Joint Operations Facility

Direct and Indirect Impacts of the Alternative. The Preferred Alternative would introduce noise and human disturbance during construction that could affect several special status species. Currently, noise and human activity in and near the project area occurs as a result of traffic and high visitor use, particularly during fishing tournaments. Construction of the joint operations facility would generate noise and disturbance greater than current activities from heavy equipment and excavation necessary to prepare the building site and other construction activity. In addition to temporary impacts during construction, the project would result in a permanent loss of 6.2 acres of native shrubland vegetation. Species-specific impacts are described below.

The project area is not suitable habitat for black-capped vireo, interior least tern, brown pelican, Devil's River minnow, Texas hornshell, Texas snowbell, or Tobusch fishhook cactus; therefore, there would be no impact to federally listed or candidate species.

Cave myotis, greater western mastiff, pale Townsend's big-eared bat, and Yuma myotis would potentially be affected by noise and human disturbance during construction. Foraging behavior would be affected by increased noise. Mitigation measures, such as limiting construction to daylight hours, would reduce potential for disturbance to these species. The project would result in a long-term loss of up to 6.2 acres of potential foraging habitat for these bat species. Habitat loss would be a minor impact due to the relatively small amount of

foraging habitat loss compared to the amount of habitat available in the surrounding area. Impacts to bat species would be local, long-term, minor, and adverse. The blotched gambusia, blue sucker, Conchos pupfish, Prosperine shiner, Rio Grande darter, Ro Grande shiner, and Rio Grande silvery minnow do not occur in the project area and would not be impacted.

The project would result in a permanent loss of about 6.2 acres of potential habitat for the Texas horned lizard, Texas indigo snake, and Texas tortoise. In addition, these species could be directly affected by noise, disturbed by human activity, or could be crushed by construction equipment. To protect these species, a survey of the project area would be conducted prior to construction. If the survey identifies any of these three species, mitigation measures would be implemented as described in Table 2. Potential effects on Texas horned lizard, Texas indigo snake, and Texas tortoise would be local, long-term, minor, and adverse due to the relatively small amount of habitat loss compared to the amount of habitat available in the surrounding area.

Potential effects on sensitive plant species are unlikely because of the lack of suitable habitat in the project area. Sensitive plant surveys would be conducted prior to disturbance of any potentially suitable habitat. If any sensitive plant species are identified during surveys, mitigation measures would be implemented as described in Table 2. Thus, no adverse impacts to sensitive plant species are anticipated.

Cumulative Impacts. Past and present actions, such as use of the project area for equipment storage and adjacent parking areas, roads, boat ramps, and other recreation facilities, have resulted in loss of suitable habitat for Texas horned lizard, Texas indigo snake, and Texas tortoise within a portion of the project area and adjacent land. Planned future projects, such as relocation of the port of entry and construction of a trail from the visitor contact facility to the reservoir, would result in temporary and permanent vegetation removal that may provide habitat for special status species. Future construction of a breakwater at Diablo East Harbor could have temporary impacts to special status fish and least tern. Future housing development on private land surrounding Amistad could result in additional impacts to species of concern by removing potential habitat. The effects of past, present, and reasonably foreseeable future actions would be regional, long-term, minor to moderate, and adverse. The overall cumulative impacts to special status species from the Preferred Alternative in combination with past, present, and reasonably foreseeable future actions would be local and regional, long-term, minor to moderate, and adverse. The loss of 6.2 acres of shrub habitat and temporary disruption to wildlife during construction under the Preferred Alternative would be a relatively small contribution to the overall cumulative impacts.

Conclusion. The Preferred Alternative would have no effect on federally listed and candidate species. Noise and disturbance during construction could temporarily displace or deter some sensitive wildlife species from the project area. Construction of the joint operations facility would result in the permanent loss of about 6.2 acres of native shrub vegetation that provides potential habitat for Texas horned lizard, Texas indigo snake, Texas tortoise, cave myotis, greater western mastiff, pale Townsend's big-eared bat, and Yuma myotis. Because of the existing habitat disturbance and high visitor use in the vicinity of the project area, effects would be local, long-term, minor, and adverse. No adverse impact on sensitive plant species is anticipated because of the lack of suitable habitat, and there are no

threatened or endangered plant species in the project area. Cumulative effects would be regional and local, long-term, minor to moderate, and adverse, with a local long-term minor adverse contribution from the Preferred Action. Because there would be no major adverse or unacceptable impacts to special status species, there would be no impairment of park resources or values.

VISITOR EXPERIENCE AND RECREATION RESOURCES

Affected Environment

Amistad hosts between 1.4 million and almost 2 million visitors annually since 2004 (NPS 2009b). About 85 percent of Amistad visitors participate in water-based recreation; the rest use the park for camping or day use activities (NPS 2006a). Changes in visitation from year to year correlate closely with water level fluctuations in the reservoir. Declining water levels lead to lower visitation rates, and higher water levels lead to increased visitation rates. Most people visit between March and September, with March and September often having higher visitation than summer months. Visitation is typically lower in July and August because of high temperatures and humidity. RV camping typically increases during the winter. Watercraft use of Amistad Reservoir is highest on weekends in the spring and on holidays. Visitor use tends to be concentrated in the southeastern portion of the reservoir, near the dam, at Diablo East, at Governor's Landing, and at the Air Force marina because the water is deeper, access is easiest, and most facilities are located in these areas.

Recreational activities at Amistad include fishing, hunting, camping, hiking, visiting cultural sites, swimming, scuba diving, boat tours, and watercraft use. The U.S. portion of Amistad Reservoir supports major sport fisheries for catfish, bass, and striped bass. Amistad hosts approximately 150 fishing tournaments annually, most of which focus on bass fishing.

The current park visitor contact facility is located in a leased building outside the park that was originally designed for storage of parts and supplies, and was not intended for occupancy. The building lacks basic fire protection; a safe, reliable water supply; and reliable restroom facilities due to reliance on obsolete well and septic systems. The current building also uses excessive amounts of energy to heat and cool. The current facility does not meet fire safety, electrical code, ADA, or OSHA standards.

The project area is mostly undeveloped shrubland with an equipment storage area that does not receive visitor use. Existing facilities in the project area include a gravel surface parking lot used by visitors, especially during fishing tournaments. Other visitor facilities nearby include additional parking, boat ramps, marina, comfort station, and a fish cleaning station.

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 NPS is committed to providing appropriate high-quality opportunities for visitors to enjoy the parks. Part of the purpose of Amistad is to offer opportunities for recreation, education, inspiration, and enjoyment. Consequently, one of the park's management goals is to ensure

that visitors safely enjoy and are satisfied with the availability, accessibility, diversity, and quality of park facilities, services, and appropriate recreational opportunities.

Public scoping input and observations of visitation patterns, combined with an assessment of amenities available to visitors under current park management, were used to estimate the effects of the alternatives. Impacts on the ability of visitors to experience a full range of park resources and the quality of the experience was considered. The thresholds of change for the intensity of an impact to visitor experience and recreation resources are described in Table 12.

TABLE 12. VISITOR EXPERIENCE AND RECREATION RESOURCES IMPACT AND INTENSITY

Impact Intensity	Intensity Description
Negligible	Changes in visitor experience and recreation resources would be at a barely perceptible level of detection. The visitor would not likely be aware of the effects associated with the action.
Minor	The visitor might be aware of the effects associated with the action, but would likely not express an opinion about the changes.
Moderate	Changes in visitor experience and recreation resources 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.
Major	Changes in visitor experience and recreation resources would be readily apparent and severely adverse or exceptionally beneficial. The visitor would be aware of the effects associated with the action and would likely express a strong opinion about the changes.

Short-term impact—occurs only during project construction

Long-term impact—continues after project construction

Environmental Consequences

No Action Alternative

Direct and Indirect Impacts of the Alternative. There would be no change in the fundamental nature and quality of the visitor experience or recreational opportunities within Amistad under the No Action Alternative. Recreational activities within the park would continue as in the past. Amistad would continue to use the outdated and inadequate visitor contact facility located in a leased building outside the park until the lease expires, and another building outside the park would need to be leased. Visitors using the existing visitor contact facility would be subject to limited restroom facilities, lack of potable water, and inadequate educational and orientation facilities. The lack of an inviting visitor contact area reduces the number of visitors that interact with park staff and the opportunity for park staff to adequately inform visitors about park resources, safety, and other important information. An off-site visitor contact facility would not provide an adequate level of interaction between park staff and visitors. Continued use of the inadequate visitor contact facility would have a park-wide long-term moderate adverse effect on the quality of the visitor experience.

Cumulative Impacts. Past actions, such as construction of nearby parking areas, roads, boat ramps, and other recreation facilities, have resulted in benefits to the visitor experience by providing access to recreational activities. Reasonably foreseeable future projects, such as relocation of the port of entry, would result in a slight benefit to the visitor experience. Construction of a new breakwater at Diablo East Harbor would have a beneficial effect on visitor experience and recreation. Construction of new housing developments on private land near the park may diminish the quality of the visitor experience by encroaching on park lands. The combined effects of past, present, and reasonably foreseeable actions on

recreation resources and the quality of the visitor experience would be beneficial. The overall cumulative effects to the visitor experience and recreation resources from the No Action Alternative in combination with past, present, and reasonably foreseeable future actions would remain park-wide, long-term, and beneficial, but the No Action Alternative would contribute a relatively large adverse effect.

Conclusion. Effects on the visitor experience and recreation resources under the No Action Alternative would be park-wide, long-term, moderate, and adverse. Cumulative effects would be park-wide, long-term, and beneficial with a relatively large adverse contribution from the No Action Alternative. There would be no unacceptable impacts to the visitor experience or recreation resources.

Preferred Alternative—Construct Joint Operations Facility

Direct and Indirect Impacts of the Alternative. The visitor experience and access to recreation resources would be temporarily affected by construction of the joint operations facility. Construction would involve temporary closure of the gravel surfaced parking lot, and would include a temporary increase in construction traffic and noise near the project area. Visitors to the Diablo East area might be temporarily inconvenienced by construction work, noise, or traffic during construction. As described in Table 2, the park would inform visitors in advance of construction via a number of sources so they can plan their schedule and activities, and minimize impacts. Impacts would be confined to areas near the project area and would be limited to the construction period. Access to boat ramps, comfort stations, the marina and other facilities at Diablo East are expected to remain open throughout construction. If temporary closures are required for work on the road or other infrastructure, visitors would be notified in advance.

An increase in traffic in the Diablo East area is expected if the joint operations facility is built. The new visitor contact facility would draw park visitors, including many who do not currently go to the Diablo East area. Currently an estimated 7 to 10 percent of visitors who stop at the existing visitor contact facility continue to the Diablo East area. If the joint operations facility is constructed, all visitors would travel on Diablo East Road to the new visitor contact facility. The law enforcement staff, park headquarters, and maintenance facility would contribute to increased traffic to the Diablo East area. In addition, Border Patrol vehicles and staff would be traveling to the joint operations facility at all hours.

The new visitor contact facility would be a modern state-of-the-art building, and would be more conveniently located and attractive than the current facility. The new visitor contact facility would be constructed at Diablo East, the most popular visitor use area at the park, while the current facility is located 10 miles outside of the park. The new visitor contact facility would have potable water and reliable restroom facilities, new interpretive programs, exhibits, and media presentations not currently available. Many of the building's sustainable features would be prominently displayed to allow visitors an opportunity to experience how the building operates to protect and enhance its surrounding environment. It is likely the sustainable features of the new facility would draw additional visitors to the area. The new visitor contact facility would have parking to accommodate oversized vehicles and vehicles with trailers. The proposed auditorium and education/research lab at the new visitor contact facility would allow the staff to expand and improve current educational programs. The new visitor contact facility would offer complete visitor services at a central location, from buying

a boat permit to learning about the cultural resources of Amistad. The proposed auditorium and education/research lab would allow the staff to expand and improve a very successful Parks as Classrooms program with the local school districts and improve interpretive services for the public in general. The increased law enforcement presence in the park would improve the visitor experience and safety by reducing illegal drug smuggling activities. Overall, the Preferred Alternative would have a long-term beneficial effect on recreation resources and the quality of the visitor experience.

Cumulative Impacts. Past actions, such as construction of nearby parking areas, roads, boat ramps, and other recreation facilities, have resulted in benefits to the visitor experience by providing access to recreational activities. Reasonably foreseeable future projects, such as relocation of the port of entry, would result in a slight benefit to the visitor experience. Construction of a trail would benefit the visitor experience by providing access to the reservoir from the visitor contact facility. Construction of a new breakwater at Diablo East Harbor would have a beneficial effect on visitor experience and recreation. Construction of new housing developments on private land near the park may diminish the quality of the visitor experience by encroaching on park lands. Overall, impacts of past, present, and reasonably foreseeable actions have had a beneficial effect on recreation resources and the quality of the visitor experience. The overall cumulative impacts to visitor experience and recreation resources from the Preferred Alternative in combination with past, present, and reasonably foreseeable future actions would be park-wide and beneficial with a relatively large beneficial contribution from the Preferred Alternative.

Conclusion. The placement of a modern convenient visitor contact facility with all of the planned associated amenities within the boundary of the park would result in a long-term beneficial effect to the quality of the visitor experience and recreation resources. Cumulative impacts would be park-wide, long-term, and beneficial. There would be no unacceptable impacts to the visitor experience or recreation resources.

VISUAL RESOURCES

Affected Environment

The proposed location for the joint operations facility is located on a high spot overlooking Amistad Reservoir with a view of native shrublands on surrounding lands. The project site is currently occupied by a “boneyard” of miscellaneous equipment, vehicles, and materials (Figure 5). Other developments that are present in the area include several large gravel parking lots, a comfort station, boat ramps, small buildings, marina, and roads. The project area is partially visible from the nearby Diablo East Road and parking lot, but is screened by vegetation.

FIGURE 5. "BONEYARD" AT PROPOSED JOINT OPERATIONS FACILITY SITE

Impact Intensity Threshold

Visual resources are the features that define the visual character of an area. Features that define the visual character of an area could include natural features, vistas, viewsheds, and architecture. The thresholds of change for the intensity of impacts to visual resources are described in Table 13.

TABLE 13. VISUAL RESOURCES IMPACT AND INTENSITY

Impact Intensity	Intensity Description
Negligible	Effects would result in a barely perceptible changes to existing views.
Minor	Effects would result in slightly detectable changes to views in a small area or would introduce a compatible human-made feature to an existing developed area.
Moderate	Effects would be readily apparent and would change the character of visual resources in the area. The visitor would be aware of the effects associated with the alternative and would likely express a neutral to negative opinion about the changes.
Major	Effects would be highly noticeable and visible from a considerable distance or over a large area. The character of visual resources would change substantially. The visitor would be aware of the effects associated with the alternative and would likely express a strong negative opinion about the changes.

Short-term—following project completion, recovery would take less than 3 years

Long-term—following project completion, recovery would take more than 3 years

Environmental Consequences

No Action Alternative

Direct and Indirect Effects of the Alternative. The No Action Alternative would have no effect on visual resources. No changes to views or facilities would occur at Diablo East or the park.

Cumulative Impacts. Past and ongoing actions, such as vegetation removal and use of the area for equipment storage, parking, roads, boat ramp, marina, and comfort station have influenced the visual character in the Diablo East area. Planned future projects, such as relocation of the port of entry, would add new structures to the region. A breakwater jetty or structure at the harbor entrance would add an additional artificial feature to the landscape. Housing development on private land near the park boundary in the future would diminish the quality of the natural landscape and views from park lands. The effects of past, present, and reasonably foreseeable actions on visual resources would be regional, long-term, minor, and adverse. The No Action Alternative would not contribute to cumulative effects.

Conclusion. The No Action Alternative would have no effect on visual resources. Past, present, and reasonably foreseeable projects would result in regional long-term minor adverse impacts to visual resources. There would be no cumulative effects. There would be no unacceptable impacts to visual resources.

Preferred Alternative—Construct Joint Operations Facility

Direct and Indirect Impacts of the Alternative. The visual quality of the Diablo East area would be temporarily impacted during construction from earthwork, vegetation removal, equipment, dust, and facility construction. The joint operations facility would be designed to be compatible with the existing landscape with minimal visual intrusion. A one-story building design was chosen to keep the profile of the new structures low. Vegetative screening would be used where appropriate to aid in blending facilities into the landscape. The joint operations facility would be oriented to provide the best compromise between fitting the existing topography and optimizing reservoir views to the northwest. A viewing platform facing Amistad Reservoir would provide visitors with scenic views of the reservoir. The visitor contact facility would be located on the northeast corner of the main building for best proximity to visitor circulation and parking, and to facilitate visual and functional separation of visitor activities from law enforcement/administration/maintenance/ activities. The proposed joint operations facility would limit lighting to the amount necessary for security and safety. Covered parking and building awnings would help shield lighting.

New facilities would be an improvement in the visual quality of the existing disturbances in the “boneyard” area, but the joint operations facility would be an addition of buildings, parking, equipment, and other structures to the landscape. However, the visual intrusion of the new facility would be minor because of the numerous other existing developments in the Diablo East area. No existing vistas or viewsheds would be adversely affected by new facilities. The joint operations facility would result in a local long-term moderate adverse impact to scenic resources from the visual intrusion of a new building complex to the landscape, but the visitor contact facility would also provide a beneficial effect by providing visitors with an opportunity for scenic views of Amistad Reservoir and surrounding lands.

Cumulative Impacts. Past and ongoing actions, such as vegetation removal and use of the area for equipment storage, parking, roads, boat ramp, marina, and comfort station have influenced the visual character in the Diablo East area. Planned future projects, such as relocation of the port of entry, would add new structures to the region. Future road improvements would add to the change in visual resources at Diablo East. Construction of a trail from the new visitor contact facility to the reservoir would provide access to the reservoir and scenic reservoir views. A breakwater jetty or structure at the harbor entrance would add an additional artificial feature to the landscape, which could diminish the views from the visitor contact facility depending on the nature of the structure. Housing development on private land near the park boundary in the future would diminish the quality of the natural landscape and views from park lands. The effects of past, present, and reasonably foreseeable actions on visual resources would be regional, long-term, minor, and adverse. The overall cumulative impacts to visual resources from the Preferred Alternative in combination with past, present, and reasonably foreseeable future actions would be regional, long-term, minor, and adverse. The local long-term moderate adverse impacts and beneficial effects of the Preferred Alternative would be a relatively small contribution to the overall cumulative effects.

Conclusion. The joint operations facility would result in a local long-term moderate adverse impact to scenic resources from the visual intrusion of a new building complex to the landscape, but the visitor contact facility would also provide a beneficial effect by providing visitors with an opportunity for scenic views of Amistad Reservoir and surrounding lands. Cumulative effects would be regional, long-term, minor, and adverse. There would be no unacceptable impacts to visual resources.

PUBLIC HEALTH AND SAFETY

Affected Environment

Ongoing park operations have strived to provide a healthy and safe environment for visitors and park staff; maintenance of park physical, natural, and cultural resources; and recreational opportunities for park visitors. The current Amistad staff and operations facilities, maintenance facilities, and visitor contact facility lack basic fire protection and a safe and healthy environment for staff and visitors. The current facilities also do not meet fire safety, electrical code, ADA, or OSHA standards. The visitor contact facility lacks a potable water supply due to reliance on obsolete well and septic systems.

Amistad National Recreation Area shares 83 miles of continuous boundary with Mexico, making joint law enforcement operations between the NPS and the Border Patrol a necessity for employee and visitor safety. Violent drug smuggling factions are known to operate in the Amistad area, posing a threat to visitor safety. Drug smugglers have been reported to use areas with heavy visitor use to blend in with the public.

Impact Intensity Threshold

Public health and safety refers to the ability of the NPS 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. Facilities included in the analysis for this EA include the current law enforcement offices, park headquarters,

maintenance facilities, and visitor contact facility. The thresholds of change for the intensity of an impact to public health and safety are described in Table 14.

TABLE 14. PUBLIC HEALTH AND SAFETY IMPACT AND INTENSITY

Impact Intensity	Intensity Description
Negligible	The effects would be at low levels of detection and would not have appreciable effects on public health and safety.
Minor	The effects would be detectable and would be of a magnitude that would not have appreciable effects on public health and safety. If mitigation is needed to offset adverse effects, it would be simple and likely successful.
Moderate	The effects would be readily apparent and result in a change in public 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.
Major	The effects would be readily apparent, would result in a substantial change in public health and safety 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.

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, Amistad would continue to use the existing leased facilities located outside of the park for at least the near term. The lease for the building housing the maintenance and visitor service contact facility will expire in less than 3 years and the park would need to locate another building to lease. It is unlikely that any suitable facility would be available within 10 miles of the park. The lease on the headquarters building in Del Rio could possibly be renewed when the lease expires in about 3 years if a more suitable building is not available. The Border Patrol would continue to use trailers located on NPS land park law enforcement the existing building at Diablo East. No funds would be expended for construction of a joint operations facility; however, excessive costs to heat and cool the leased buildings would continue. The No Action Alternative would not address visitor and employee safety issues associated with current facilities. Under the No Action Alternative, there would be park-wide long-term moderate adverse effects on public health and safety.

Cumulative Impacts. The park has provided a healthy and safe environment for visitors and park staff, along with recreational opportunities for park visitors. Planned future relocation of the port of entry would provide improved safety and security. Future construction of a breakwater at Diablo East Harbor would benefit public health and safety by providing a safer environment for the public to launch boats. Housing development on private land near the park boundaries would have no direct effect on public health and safety. Past, present, and future actions would have a long-term beneficial effect on public health and safety. The overall cumulative impacts to public health and safety from the No Action Alternative in combination with past, present, and reasonably foreseeable future actions would be park-wide, long-term, moderate, and adverse with a relatively large contribution of adverse effects from the No Action Alternative.

Conclusion. The No Action Alternative would result in park-wide long-term moderate adverse effects on public health and safety by not addressing known safety concerns

associated with existing facilities, as well as effective law enforcement for drug smuggling across the border. Cumulative impacts would be park-wide, long-term, moderate, and adverse because of the relatively large contribution of adverse effects from the No Action Alternative. There would be no unacceptable impacts to public health and safety.

Preferred Alternative—Construct Joint Operations Facility

Direct and Indirect Impacts of the Alternative. The joint operations facility would improve public health and safety by meeting current fire and electrical safety and building codes and compliance with workplace safety standards under OSHA. The new facility would be built to ADA standards for universal accessibility. The joint operations facility also would provide an improved work environment for park staff and is expected to have a positive effect on employee morale. Incorporating Border Patrol operations in the proposed facility improve public safety by helping to reduce illegal drug smuggling activities within the park. Overall, the Preferred Alternative would have long-term beneficial effects on public health and safety.

Cumulative Impacts. The park has provided a healthy and safe environment for visitors and park staff, along with recreational opportunities for park visitors. Planned future relocation of the port of entry would provide improved safety and security. Planned future projects, such as nearby road improvements and relocation of the port of entry, would benefit public health and safety. Future construction of a breakwater at Diablo East Harbor would benefit public health and safety by providing a safer environment for the public to launch boats. Housing development on private land near the park boundaries would have no direct effect on public health and safety. The beneficial effects of past, present, and future projects, in combination with the beneficial effects of the Preferred Alternative, would result in long-term beneficial cumulative effects to public health and safety.

Conclusion. The Preferred Alternative would result in long-term beneficial effects on public health and safety by meeting current building codes and helping to reduce illegal drug smuggling activities in the park. Cumulative effects would be long-term and beneficial. There would be no unacceptable impacts to public health and safety.

PARK OPERATIONS

Affected Environment

Ongoing park operations have strived to maintain park physical, natural, and cultural resources while providing recreational opportunities for park visitors. Deficiencies in the condition and location of existing park operational facilities have made efficient park operations challenging. Currently, Amistad staff and operations are located in separate facilities outside the park in leased buildings. Amistad's visitor contact facility and maintenance facility are located in a leased building on Highway 90 West before Blackbrush, 5 miles west of Del Rio. Administrative functions are located in the headquarters building about 10 miles from the park on Veterans Boulevard (Highway 90 West) in Del Rio. Both facilities are inadequate for the efficient management and protection of park resources and serving visitor needs. Delays in response time often occur because of the distance between park facilities and the park. The current facilities also use excessive amounts of energy to heat and cool. The visitor contact facility lacks a potable water supply and reliable restroom

facilities due to reliance on obsolete well and septic systems. The current lease for the building that houses maintenance and visitor services ends in less than 3 years and will not be renewed. No other adequate lease space is available near Amistad. The lease for the headquarters facility also expires in 3 years and could potentially be renewed.

Amistad National Recreation Area shares 83 miles of continuous boundary with Mexico, making joint law enforcement operations between the NPS and the Border Patrol a necessity for employee and visitor safety. Drug seizures in the park quadrupled from 2005 to 2007, and at least 61 smuggling routes have been identified within Amistad. Illegal drug smuggling, which increases trash and resource damage, also diverts resources from law enforcement and maintenance. Park law enforcement and Border Patrol offices are in separate locations, which hampers efficient coordination of resources.

Impact Intensity Threshold

Park operations, for the purposes of this EA, refers to the quality and effectiveness of the infrastructure, and the ability of park staff to maintain the infrastructure used in park operations to protect and preserve vital resources and provide for a high quality visitor experience. Facilities included in the analysis for this EA include the current law enforcement offices, park headquarters, maintenance facilities, and visitor contact facility. The thresholds of change for the intensity of an impact to park operations are described in Table 15.

TABLE 15. PARK OPERATIONS IMPACT AND INTENSITY

Impact Intensity	Intensity Description
Negligible	The effects would be at low levels of detection and would not have appreciable effects on park operations.
Minor	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.
Moderate	The effects would be readily apparent and 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.
Major	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.

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, Amistad would continue to use the existing leased facilities located outside of the park for at least the near term. The lease for the building housing the maintenance and visitor service contact facility will expire in less than 3 years and the park would need to locate another building to lease. It is unlikely that any suitable facility would be available within 10 miles of the park. The lease on the headquarters building in Del Rio could possibly be renewed when the lease expires in about 3 years if a more suitable building is not available. The Border Patrol would continue to use trailers located on NPS land and park law enforcement would continue to use the existing building at Diablo East. No funds would be expended for

construction of a joint operations facility; however, excessive costs to heat and cool the leased buildings would continue. The No Action Alternative would not address efficiency issues associated with the current facilities. Under the No Action Alternative, there would be park-wide long-term moderate adverse effects on park operations.

Cumulative Impacts. The park has maintained park resources and provided recreational opportunities for park visitors. Because existing park headquarters, maintenance, and visitor operation facilities are all located outside of the park, the effectiveness of these operations has been hampered. The planned future relocation of the port of entry would improve security. Future construction of a breakwater at Diablo East Harbor would benefit park operations by protecting floating docks from damage. Housing development on private land near the park boundaries would have no direct effect on park operations. Past, present, and future actions would have a long-term beneficial effect on park operations. The overall cumulative impacts to park operations from the No Action Alternative in combination with past, present, and reasonably foreseeable future actions would be park-wide, long-term, moderate, and adverse with a relatively large adverse contribution from the No Action Alternative.

Conclusion. The No Action Alternative would result in park-wide long-term moderate adverse effects on park operations by not addressing the inadequate and remote facilities for law enforcement, administration, maintenance, and visitor contact. Effective law enforcement for drug smuggling across the border would not be addressed. Cumulative impacts would be park-wide, long-term, moderate, and adverse with a relatively large adverse contribution from the No Action Alternative. There would be no unacceptable impacts to park operations.

Preferred Alternative—Construct Joint Operations Facility

Direct and Indirect Impacts of the Alternative. Park operations would become more efficient by consolidating law enforcement, maintenance, and visitor outreach facilities at one central location. Construction of the facility at the Diablo East Subdistrict would co-locate the management team and staff in a central part of the recreation area and provide staff with the technology and communication assets necessary to be effective in meeting service wide goals and objectives. All functions except maintenance would be housed in a single one-story structure to encourage interaction between departments. Park operations, such as mail service, procurement, contracting, deliveries, telecommunications, and information technology, would become more efficient by being consolidated in one location. Maintenance and park operations would be readily available to visitors and for support to park staff.

Incorporating Border Patrol operations in the proposed facility would enhance cooperation and communication with NPS law enforcement operations. This would improve efficiency of park operations and reduce resource damage and maintenance requirements within the park. The new facility would improve surveillance by using state-of-the-art remote sensors linked to the headquarters communications facility.

Construction of the joint operations facility would require expenditures of energy, including natural and depletable resources. However, the new facility would strive to achieve the highest possible rating (at least the “silver” level) under the LEED program by

incorporating a wide variety of sustainable systems and energy-saving features. Applying LEED standards is estimated to reduce electricity consumption and related costs by about 40 to 50 percent. Construction of a centrally located facility is expected to reduce fossil fuel consumption by about 10 percent by allowing government-owned vehicles to be stationed within the park where they are used, rather than at off-site facilities. Overall, the Preferred Alternative would have long-term beneficial effects on park operations.

Cumulative Impacts. The park has maintained park resources and provided recreational opportunities for park visitors. Because existing park administration, maintenance, and visitor operation facilities are all located outside of the park, the effectiveness of these operations has been hampered. The planned future relocation of the port of entry would improve security. Planned future projects, such as nearby road improvements and relocation of the port of entry, would benefit park operations. Future construction of a breakwater at Diablo East Harbor would benefit park operations by protecting floating docks from damage. Housing development on private land near the park boundaries would have no direct effect on park operations. The beneficial effects of past, present, and future projects, in combination with the beneficial effects of the Preferred Alternative, would result in long-term beneficial cumulative effects to park operations.

Conclusion. The Preferred Alternative would result in long-term beneficial effects to park operations by consolidating the law enforcement facilities (NPS and Border Patrol), park headquarters, maintenance facilities, and visitor contact facility at a joint facility located within the park. The new joint operations facility would improve efficiency and effectiveness of park operations. Cumulative effects would be long-term and beneficial. There would be no unacceptable impacts to park operations.

CONSULTATION AND COORDINATION

SCOPING/CONSULTATION

Public scoping was initiated with a press release on October 9, 2009 describing the proposed action (Appendix A). The park also sent scoping letters describing the proposed action and requesting comments to interested individuals; organizations; state, county, and local governments; and federal agencies. On October 9, 2009, American Indian tribes (Comanche Nation, Kickapoo Traditional Tribe of Texas, Kiowa Tribe of Oklahoma, and Mescalero Apache Tribe) also were sent an information letter describing the project and asking for comments.

The Texas Historical Commission and Val Verde County Historical Commission were notified of the project by letter dated October 9, 2009, and early input regarding the project was solicited. The park would coordinate with the Texas Historical Commission in the development of mitigation measures for historic structures. This EA was forwarded to the Texas Historical Commission for review and comment.

The park contacted the USFWS by letter dated October 9, 2009 to solicit input on potential effects on threatened and endangered species. The USFWS will review this EA to determine if they concur with the park's findings of effect and whether additional conservation measures are needed to protect listed species.

Agencies and organizations contacted to assist in identifying issues and to review or comment on this EA include, but are not limited to, the following:

Federal Agencies

Department of Homeland Security
U.S. Environmental Protection Agency Region 6
 NEPA Coordinator
 Regional Administrator
U.S. Air Force Laughlin Air Force Base
International Boundary and Water Commission
Bureau of Reclamation

Congressional Representatives

Honorable John Cornyn, U.S. Senate
Honorable Kay Hutchinson, U.S. Senate
Honorable Ciro D. Rodriguez, U.S. House of Representatives

State Agencies

Texas Parks and Wildlife Department
Texas Commission on Environmental Quality
Texas Department of Public Safety
Texas Department of Transportation
Texas Parks and Wildlife Department
Texas Historical Commission

State Officials

Governor Rick Perry
State Senator Carlos I. Uresti
State Representative Pete P. Gallego

Local and Regional Government Agencies and Officials

Val Verde County Commissioner Jesus Ortiz
Val Verde County Commissioner Beau Nettleton
Val Verde County Judge Mike L. Fernandez
City of Del Rio, Office of the Mayor
Superintendent, San Felipe Del Rio Consolidated Independent School District
Del Rio Chamber of Commerce
Seminole Canyon State Park and Historic Site
Devils River State Natural Area
Lake Amistad Resort and Marina
Forever Resorts LLC
The Shumla School
Val Verde County Historical Commission

Mexico Officials and Agencies

Presidente Municipal, Ciudad Acuna, Mexico
Presidente, Comité de Turismo de Ciudad Acuna
SEMARNAT, Ciudad, Acuna, Mexico
Presidente, Cooperativa Pescadores, Ciudad Acuna, Mexico
Presidente, Cámara de Comercio de Ciudad Acuna
Lic. Roberto Canseco M, Consul de Mexico

Organizations and Businesses

National Audubon Society, Bexar County Chapter
Bluewater Network
National Parks Conservation Association
The Rock Art Foundation
Big Bend Natural History Association

Individuals

Ryan Schmidt, Wildlife Biologist
Gus Chavira
John and Fay Carpenter

Newspapers

Del Rio News Herald
Alpine Avalanche

Indian Tribes

Comanche Nation
Kickapoo Traditional Tribe of Texas
Kiowa Tribe of Oklahoma
Mescalero Apache Tribe

COMPLIANCE WITH FEDERAL AND STATE REGULATIONS

The NPS would comply with all applicable federal and state regulations when implementing the Preferred Alternative to construct the joint operations facility. Permitting and regulatory requirements for the Preferred Alternative are listed in Table 16.

TABLE 16. 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 the proposed action and decision to prepare a FONSI or EIS.
	National Historic Preservation Act, Section 106	Protection of historic and cultural resources.	The park is consulting with the office of the state historic preservation officer (Texas Historical Commission).
	Executive Order 11990, Protection of Wetlands	Requires avoidance of adverse wetland impacts, where practicable, and mitigation, if necessary.	No wetlands present.
	Executive Order 11988, Floodplain Management	Requires avoidance of adverse floodplain impacts, where practicable, and mitigation, if necessary.	No floodplains present.
	NPS Order No. 77-2 Floodplain Management	Protection of natural resources and floodplains.	No floodplains present.
U.S. Army Corps of Engineers (Corps)	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 present.
U.S. Fish and Wildlife Service	Endangered Species Act	Protection of federally listed threatened or endangered species.	The park consulted with the USFWS as part of the NEPA process.
State of Texas			
Texas Commission on Environmental Quality	Texas Pollutant Discharge Elimination System (TPDES) Storm Water Permit for Construction Activities	Erosion control and protection of water quality.	A stormwater pollution prevention plan would be developed prior to grading and surface disturbances.
	TPDES 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.

LIST OF PREPARERS AND CONTRIBUTORS

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Ben Ruston, Chief of Maintenance
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Kate Johnson, Natural Resource Specialist

NATIONAL PARK SERVICE, DENVER SERVICE CENTER

Paul Wharry, NEPA Specialist
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Greg Cody, Cultural Resources Specialist

ANDREWS & ANDERSON ARCHITECTS

Dave Anderson, Project Manager
Nan Anderson, Architect
Taylor Webb, Architect

ERO RESOURCES CORPORATION

Mark DeHaven, Project Manager
Steve Butler, Ecologist
Sean Larmore, Archeologist
Dave Hesker, Graphic Designer
Kay Wall, Technical Editor

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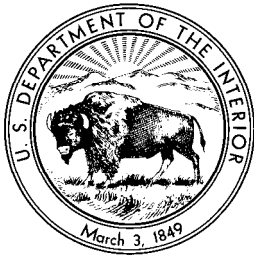
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APPENDICES

Appendix A — Scoping Notices



United States Department of the Interior
NATIONAL PARK SERVICE
Amistad National Recreation Area
4121 Veterans Blvd.
Del Rio, TX 78840-9350



October 9, 2009

Subject - Preparation of an Environmental Assessment for Construction of Joint Operations Space with Border Patrol, Park Headquarters, Maintenance, and Visitor Contact at Amistad National Recreation Area

Dear Friends and Neighbors:

The National Park Service (NPS) is proposing to construct a facility at the Diablo East Sub-District to act as a hub for combined law enforcement and border security operations, park headquarters, maintenance, and visitor contact component. This project would provide an approximately 22,450-square-foot facility housing all Amistad National Recreation Area (Park) activities, and an additional 5,400 square feet for the Border Patrol Lake Task Force. The facility would include offices, restrooms, communications room, evidence room, weapons storage, office mail/fax space, conference rooms, fitness room, visitor contact area, maintenance areas, storage for marine buoys and equipment, site development, utilities, access road, revegetation, parking, and secure outside storage for vehicles and equipment. Development of the joint operations facility would provide an immediate law enforcement presence within the Park boundaries. The Park shares 83 miles of contiguous boundary with Mexico, making joint law enforcement operations a necessity for employee and visitor safety. The Border Patrol shares the belief that a strong partnership with the NPS on public lands in Texas is key to gaining operational control of the border in Texas.

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 this proposed project, and invites the public to submit written suggestions, comments, and concerns regarding the proposed project online at the NPS Planning, Environment, and Public Comment (PEPC) website at: <http://parkplanning.nps.gov/>.

If you are not able to submit comments electronically through this website, you may submit written comments at the address on this letterhead. Please provide comments by November 9, 2009. These comments will be considered during preparation of the Environmental Assessment.

It is the practice of the NPS to make all comments, including names and addresses of respondents who provide that information, available for public review following the conclusion of the environmental assessment process. Individuals may request that the NPS withhold their name and/or address from public disclosure. If you wish to do this, you must state this prominently at the beginning of your comment. Commentors using the website can make such a request by checking the box "keep my contact information private." NPS will honor such requests to the extent allowable by law, but you should be aware that NPS may still be required to disclose your name and address pursuant to the Freedom of Information Act. We will make all submissions from organizations, businesses, and individuals identifying themselves as representatives or officials of organizations or businesses available for public inspection in their entirety.

We look forward to hearing from you.

Sincerely,

Alan Cox
Superintendent



Aerial Overview of General Area Proposed for Development



**United States Department of the Interior
NATIONAL PARK SERVICE**



Amistad National Recreation Area
4121 Veterans Blvd.
Del Rio, TX 78840-9350

IN REPLY REFER TO:
L76 (AMIS)

October 9, 2009

The Honorable Don Tofpi
Chairman
Kiowa Tribe of Oklahoma
Hwy 9 West
P.O. Box 369
Carnegie, Oklahoma 73015-0369

Dear Chairman Tofpi,

Subject: Compliance with Section 106 of the National Historic Preservation Act and National Environmental Policy Act (NEPA)

The National Park Service (NPS) is proposing to construct a facility at the Diablo East Sub-District to act as a hub for combined law enforcement and border security operations, park headquarters, maintenance, and visitor contact component. This project would provide an approximately 22,450-square-foot facility housing all Amistad National Recreation Area (Park) activities, and an additional 5,400 square feet for the Border Patrol Lake Task Force. The facility would include offices, restrooms, communications room, evidence room, weapons storage, office mail/fax space, conference rooms, fitness room, visitor contact area, maintenance areas, storage for marine buoys and equipment, site development, utilities, access road, revegetation, parking, and secure outside storage for vehicles and equipment. Development of the joint operations facility would provide an immediate law enforcement presence within the Park boundaries. The Park shares 83 miles of contiguous boundary with Mexico, making joint law enforcement operations a necessity for employee and visitor safety. The Border Patrol shares the belief that a strong partnership with the NPS on public lands in Texas is key to gaining operational control of the border in Texas.

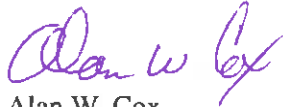
Cultural resource surveys are currently being conducted in the project area. No adverse effects to archeological resources are anticipated from the proposed project, but this determination will be made during preparation of the Environmental Assessment.

In accordance with the National Environmental Policy Act (NEPA) and 36 CFR 800 requirements, we are eliciting your comments and invite you to review the project. Please contact us by November 9, 2009 with your initial concerns and comments. An environmental assessment will be prepared and will be sent to you for comment after that date.

If you would like to express your concerns, have questions, or need additional information, please contact me in writing at the above address. We would also be happy to arrange a meeting with you at your convenience to discuss this project. Please contact Chief of Education and Resource Management Greg Garetz by email at greg_garetz@nps.gov or phone at 830-775-7492 ext. 204. You may also contact Cultural Resource Specialist Jack Johnson by phone at 830-775-7491 ext. 217 or e-mail at Jack_G_Johnson@nps.gov.

We look forward to consulting with you on this project.

Sincerely,



Alan W. Cox
Superintendent

Identical letter sent to the following recipients:

The Honorable Wallace Coffey, Chairman
Commanche Nation

The Honorable Juan Garza, Chairman
Kickapoo Traditional Tribe of Texas

The Honorable Mark Chino, President
Mescalero Apache Tribe



**United States Department of the Interior
NATIONAL PARK SERVICE**



Amistad National Recreation Area
4121 Veterans Blvd.
Del Rio, TX 78840-9350

October 9, 2009

Mr. Larry Oaks
State Historic Preservation Officer
Texas Historical Commission
108 West 16th Street
El Rose Building, 1st Floor
Austin, Texas 78711

Dear Mr. Oaks,

Subject: Scoping Notice - Preparation of an Environmental Assessment for Construction of Joint Operations Space with Border Patrol, Park Headquarters, Maintenance, and Visitor Contact at Amistad National Recreation Area

The National Park Service (NPS) is proposing to construct a facility at the Diablo East Sub-District to act as a hub for combined law enforcement and border security operations, park headquarters, maintenance, and visitor contact component. This project would provide an approximately 22,450-square-foot facility housing all Amistad National Recreation Area (Park) activities, and an additional 5,400 square feet for the Border Patrol Lake Task Force. The facility would include offices, restrooms, communications room, evidence room, weapons storage, office mail/fax space, conference rooms, fitness room, visitor contact area, maintenance areas, storage for marine buoys and equipment, site development, utilities, access road, revegetation, parking, and secure outside storage for vehicles and equipment. Development of the joint operations facility would provide an immediate law enforcement presence within the Park boundaries. The Park shares 83 miles of contiguous boundary with Mexico, making joint law enforcement operations a necessity for employee and visitor safety. The Border Patrol shares the belief that a strong partnership with the NPS on public lands in Texas is key to gaining operational control of the border in Texas.

In accordance with the Advisory Council on Historic Preservation regulations, 36 CFR Part 800: Protection of Historic Properties, the NPS is required to comply with Section 106 of the National Historic Preservation Act of 1966, as amended. This scoping notice serves to officially initiate Section 106 consultation with your office. Formal Section 106 consultation has also been initiated with Native American Tribes.

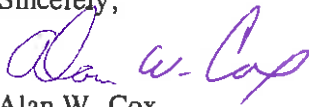
In addition, in accordance with 36 CFR Part 800.8(c): Use of the NEPA Process for Section 106 Purposes, this letter serves to notify your office of our intention to use the National Environmental Policy Act (NEPA) process for all subsequent Section 106 consultation on this project. We have already identified consulting parties for NEPA and Section 106 purposes and are now working to identify all applicable historic properties and areas of potential effect (APE).

We look forward to your participation in this process and believe that it will help ensure that cultural resources are adequately considered and evaluated in the Environmental Assessment. As soon as the Environmental Assessment is complete, we will send it to you for review and comment. We would appreciate your preliminary input by November 9, 2009.

If you have questions, or need additional information, please contact me in writing at the above address. We would also be happy to arrange a meeting with you at your convenience to discuss this project. Please contact our chief of Education and Resource Management Greg Garetz by email at greg_garetz@nps.gov or phone at 830-775-7492 ext. 204. You may also contact Cultural Resource Specialist Jack Johnson by phone at 830-775-7491 ext. 217 or email at Jack_G_Johnson@nps.gov.

We look forward to consulting with you on this project.

Sincerely,



Alan W. Cox
Superintendent



**United States Department of the Interior
NATIONAL PARK SERVICE**



Amistad National Recreation Area
4121 Veterans Blvd.
Del Rio, TX 78840-9350

October 9, 2009

Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

Subject: Scoping Notice - Preparation of an Environmental Assessment for Construction of Joint Operations Space with Border Patrol, Park Headquarters, Maintenance, and Visitor Contact at Amistad National Recreation Area

The National Park Service (NPS) is proposing to construct a facility at the Diablo East Sub-District to act as a hub for combined law enforcement and border security operations, park headquarters, maintenance, and visitor contact component. This project would provide an approximately 22,450-square-foot facility housing all Amistad National Recreation Area (Park) activities, and an additional 5,400 square feet for the Border Patrol Lake Task Force. The facility would include offices, restrooms, communications room, evidence room, weapons storage, office mail/fax space, conference rooms, fitness room, visitor contact area, maintenance areas, storage for marine buoys and equipment, site development, utilities, access road, revegetation, parking, and secure outside storage for vehicles and equipment. Development of the joint operations facility would provide an immediate law enforcement presence within the Park boundaries. The Park shares 83 miles of contiguous boundary with Mexico, making joint law enforcement operations a necessity for employee and visitor safety. The Border Patrol shares the belief that a strong partnership with the NPS on public lands in Texas is key to gaining operational control of the border in Texas.

Although development of the Environmental Assessment is in the preliminary stages and no adverse effect to endangered or threatened species or their designated habitat are anticipated, we would like to request any information your office may have regarding the presence of federally listed threatened or endangered species, species proposed for listing, and existing or proposed critical habitats that may be present within or near the Park. This request is being made pursuant to Section 7 of the Endangered Species Act.

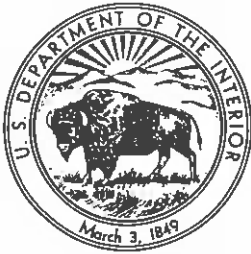
We look forward to your participation in this process and believe that it will help ensure that federally listed species are adequately considered and evaluated in the Environmental Assessment. In keeping with the requirements of Section 7 consultation and NPS policy, as soon as the Environmental Assessment is complete, we will send it to you for review and comment. We would appreciate your preliminary input by November 9, 2009.

Please contact me by email at Alan_Cox@nps.gov or phone at 830-775-7492 ext. 201. You may also contact Chief of Education and Resource Management Greg Garetz by phone at 830-775-7492 ext. 204 or email at Greg_Garetz@nps.gov. We look forward to consulting with you on this project.

Sincerely,

A handwritten signature in purple ink that reads "Alan W. Cox". The signature is fluid and cursive, with the first name "Alan" being the most prominent.

Alan W. Cox
Superintendent



**United States Department of the Interior
NATIONAL PARK SERVICE**



Amistad National Recreation Area
4121 Veterans Blvd.
Del Rio, TX 78840-9350

October 9, 2009

Ms. Luela Roberts
U.S. Fish and Wildlife Service
Ecological Services Field Office
10711 Burnet Road
Compass Bank Bldg., Ste. 200
Austin, Texas 78758

Dear Ms. Roberts,

Subject: Scoping Notice - Preparation of an Environmental Assessment for Construction of Joint Operations Space with Border Patrol, Park Headquarters, Maintenance, and Visitor Contact at Amistad National Recreation Area

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Alan W. Cox
Superintendent



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



Amistad National Recreation Area
4121 Veterans Blvd
Del Rio TX 78840-9350