



Chapter 10: Future Planning and NEPA Compliance



1
2
3
4
5
6
7
8
9

CONTENTS

10 Future Planning and NEPA Compliance 10-2
10.1 Future Use of the PEIS 10-2

FIGURES

Figure 10.1-1. The Next National Environmental Policy Act Steps..... 10-2

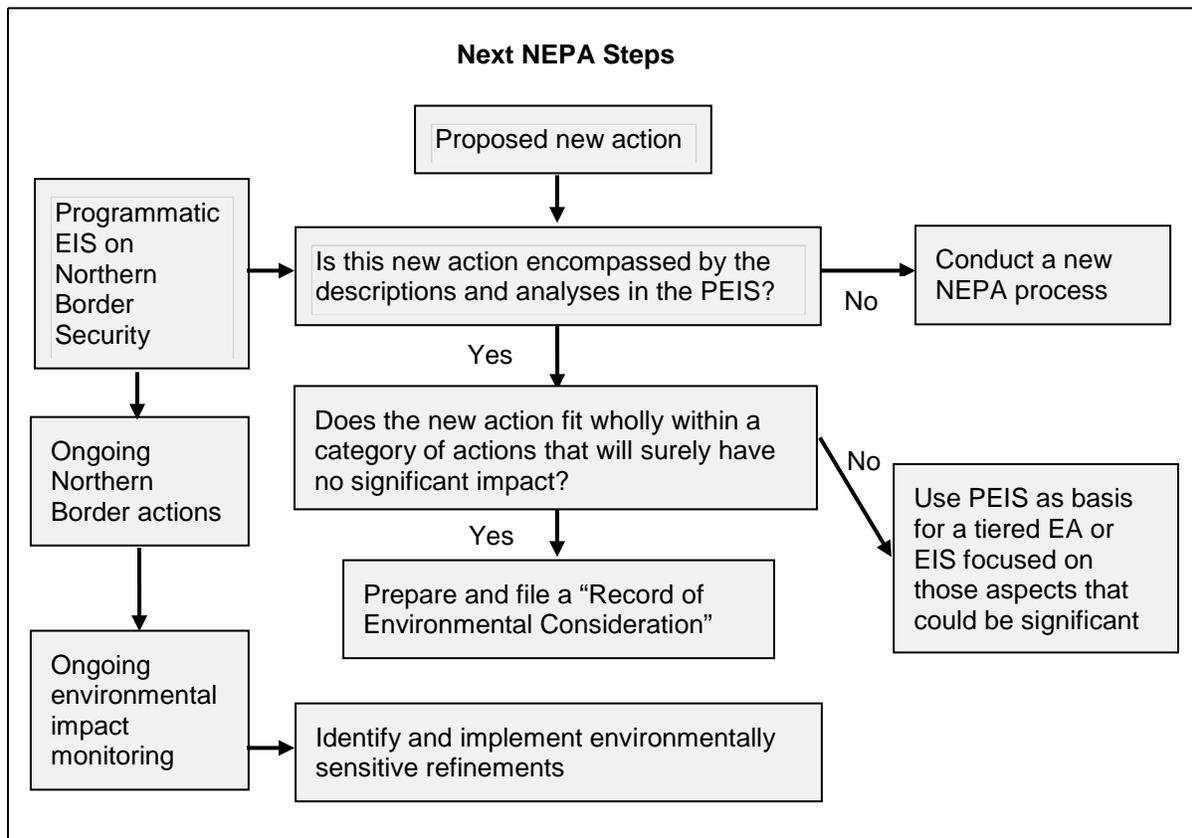
10 FUTURE PLANNING AND NEPA COMPLIANCE

10.1 FUTURE USE OF THE PEIS

The U.S. Customs and Border Protection (CBP) will use this document in several ways. In the short term, CBP's decision makers will use this Programmatic Environmental Impact Statement (PEIS), along with other considerations in regard to security, effectiveness, and cost, in their selection of one of the alternative program strategies discussed in this document. CBP will publish its decision in a Record of Decision (ROD), which will present the agency's rationale for the choice it has made. That decision will be made no less than 30 days after CBP publishes the Final PEIS. The decision will consider comments received on the Final PEIS.

Then, over the next several years, CBP will use this PEIS as a foundation for planning specific actions within the overall program that CBP selects. When any CBP branch develops proposals to build new structures, implement new procedures, or implement other new Northern Border security actions, planners will consult this PEIS to help determine what further environmental analysis is needed. As shown in Figure 10-1, the planners' next steps will depend on the extent to which the new action is encompassed within the "envelope" created by this PEIS.

Figure 10.1-1. The Next National Environmental Policy Act Steps



At one extreme, if the new action were of a wholly new type that is not addressed in this PEIS, then a new National Environmental Policy Act (NEPA) process would be needed. This would require a new Environmental Assessment (EA), or EIS if the effects of that new action were

1 determined to be significant. In such a case, this PEIS provides only limited relevant input to the
2 new effort.

3 At the other extreme, the proposed action could be a type of action that is addressed in this EIS.
4 If its characteristics (magnitude, frequency, etc.) were also within the bounds identified in this
5 PEIS as having only insignificant effects, then further formal NEPA documentation would not be
6 required. In such a case, CBP would prepare a brief statement affirming that the new action fits
7 within the envelope of this PEIS.

8 Most new actions will likely fit somewhere between these extremes. They will likely have some
9 potential effects that are not fully addressed in the PEIS. For example, the new actions may have
10 effects influenced by the particular location of the action. In these cases, additional NEPA
11 analyses would be needed. The new NEPA analysis will use this PEIS as the foundation upon
12 which to craft the more specific analyses for the new action. The new “tiered” document(s) will
13 not need to repeat those aspects of the existing impact analysis that are still pertinent to the new
14 action. Instead, the new document will focus on issues specific to the new action and its
15 location. This will save CBP time and effort in future environmental planning by capitalizing on
16 the investment made in this PEIS.

17 CBP will also use this PEIS to help refine its current, ongoing activities to lessen environmental
18 impacts without jeopardizing essential security considerations. A key component of this effort
19 will be the creation and implementation of an impact-monitoring program. Under this “adaptive
20 management” effort, CBP will periodically measure the conditions of various environmental
21 resources being affected by CBP’s activities. CBP will gauge whether those activities are being
22 improved or degraded as a result of CBP’s activities. Based on these monitoring results, CBP
23 will periodically determine if adaptations would be feasible that would further enhance beneficial
24 effects or lessen adverse effects. CBP anticipates that the full development of this mitigation
25 monitoring and adaptive management effort will involve substantive involvement of other
26 Federal agencies that have land in the border area. These agencies include, but are not limited to,
27 the U.S. Forest Service and the National Park Service.