

Appendix B – Biological Evaluations



**Arizona Department of Transportation
Environmental Planning**

BIOLOGICAL EVALUATION

City of Douglas International Port of Entry Connector Road Study
Federal Project No. 999-A(561)T
ADOT Project No. F0534 01L

Prepared for:	ADOT Approval Signature
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ADOT approval is required prior to reproduction or distribution.*

EXECUTIVE SUMMARY—BIOLOGICAL EVALUATION

Project Type: The project is a new connector road with a 200-foot-wide right-of-way from the new commercial international border port of entry to State Route 80.

Project Duration and Anticipated Construction Schedule: The Design Concept Report/Environmental Assessment will be completed in December 2024, final design in December 2026, and construction in mid-2028.

Project Location: The project extends from several hundred feet north of State Route 80 between about 0.5 mile east of James Ranch Road and 0.5 mile west of the Brooks Road alignment south to the international border, just west of the city of Douglas, Cochise County, Arizona.

ESA Species and Critical Habitat Analyzed in Detail and Determinations Made: No threatened or endangered species, critical habitat, or candidate species would be affected by this project. See Table 1 for further information.

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DEFINITIONS

action area	all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR § 402.02)
ADOT	Arizona Department of Transportation
AGFD	Arizona Game and Fish Department
AZPDES	Arizona Pollutant Discharge Elimination System
BE	Biological Evaluation
BMP	Best Management Practice
C	candidate
CBP	U.S. Customs and Border Protection
construction footprint	the area where construction-related equipment would operate
CFR	Code of Federal Regulations
dba	A-weighted decibels
ESA	Endangered Species Act
FHWA	Federal Highway Administration
GSA	General Services Administration
IPaC	Information for Planning and Consultation (USFWS)
IPOE	International Port of Entry
LE	listed endangered
LPOE	Land Port of Entry
LT	listed threatened
NEPA	National Environmental Policy Act
OAW	Outstanding Arizona Water
POE	Port of Entry
ROW	right-of-way
SR	State Route
USFWS	U.S. Fish and Wildlife Service
XN	experimental nonessential population

1. Project Overview

1.1 Federal Nexus

The project evaluated in this Biological Evaluation (BE) is funded in part by the Federal Highway Administration (FHWA) and would be constructed by the Arizona Department of Transportation (ADOT). The project may require a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers. Additional cooperating agencies include the U.S. General Services Administration, the Arizona State Land Department, Cochise County, and the City of Douglas.

1.2 Project Description

The project would construct a new 200-foot-wide four-lane road to accommodate international commercial travel from the new Port of Entry (POE) to State Route (SR) 80 in all weather conditions.

ADOT is evaluating alternatives for a new all-weather connector road from the new Douglas International Port of Entry (IPOE) to SR 80. The 200-foot-wide connector road would be sited to safely accommodate exclusively commercial truck traffic and to provide connectivity from the new commercial POE near Douglas to the Arizona State Highway System.

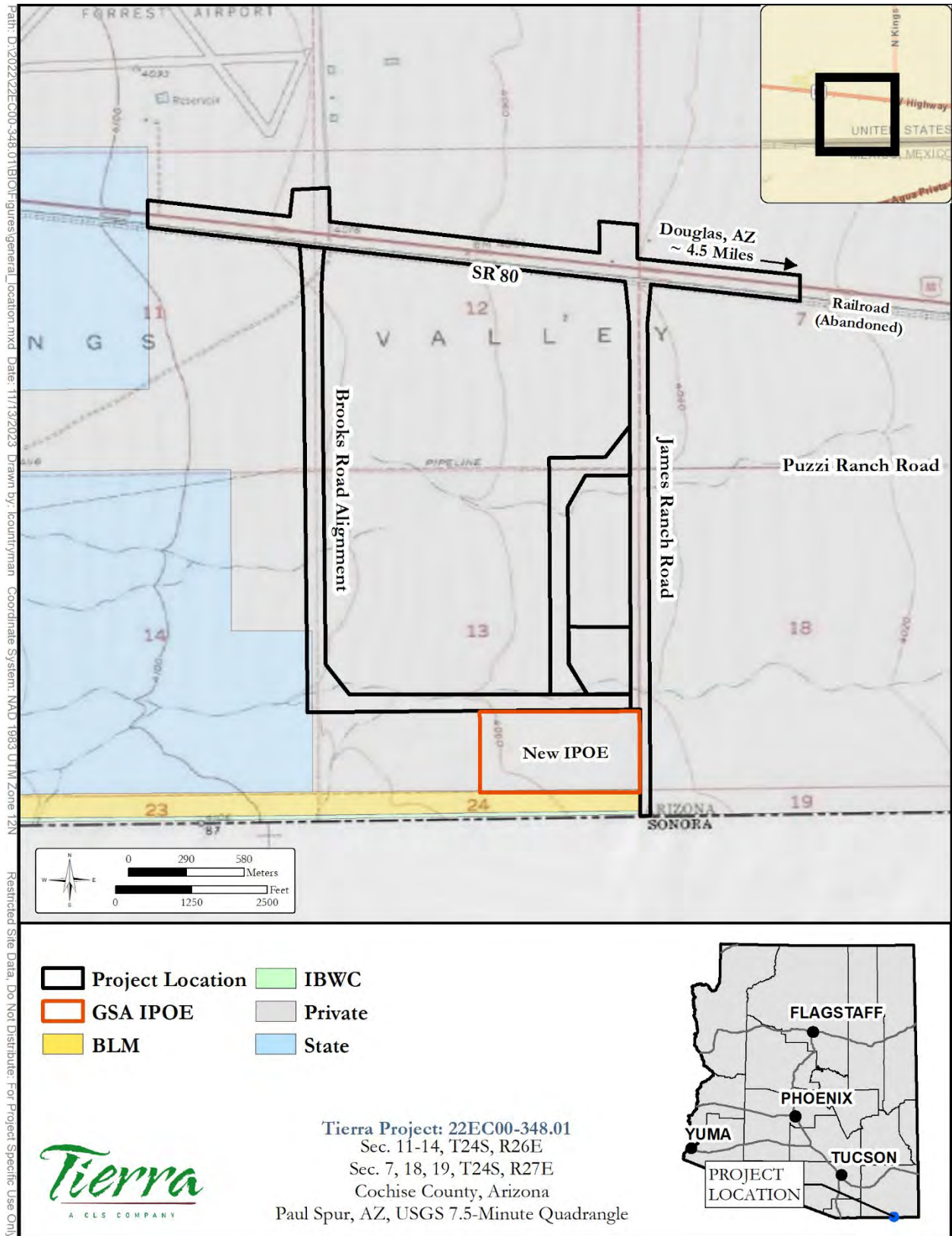
Two roundabouts will be constructed on the northeast side of the IPOE to facilitate commercial truck traffic into and from the IPOE. One will be located on James Ranch Road to separate truck and IPOE employee traffic, which will continue along James Ranch Road. The second roundabout will be located at the IPOE entrance to facilitate truck movements to and from the IPOE.

The new IPOE would be about 4.5 miles west of the existing Castro Land Port of Entry (LPOE) that provides international noncommercial and commercial access on an 80-acre site at the intersection of James Ranch Road and the international border. The new port would process only commercial traffic for the binational region. Once construction of the Douglas IPOE has been completed, all commercial operations would move from the Castro LPOE to the new IPOE facility. ADOT has identified three alternative routes. This BE analyzes impacts on protected species for all three routes.

1.3 Project Location

The project is about 4.5 miles west of the city of Douglas in Cochise County, Arizona, generally including and south of SR 80 to the international border. Land ownership in the project area includes the Bureau of Land Management (BLM), International Boundary Waters Commission (IBWC), ADOT right-of-way (ROW), and private parcels (Figure 1).

ADOT requirements for the alternative selection process include methods and technologies to ensure a comprehensive investigation of proposed alignments. The requirements state that the process should analyze all reasonable alternatives, support the iterative nature of the National Environmental Policy Act (NEPA) process, provide a summary of the investigation and selection process, and determine the optimal alignment alternatives subject to the project constraints, including environmental, engineering, social, and economic evaluations. The proposed alternatives are consistent with the stated requirements. The proposed alternative alignments are identified in Figure 2.



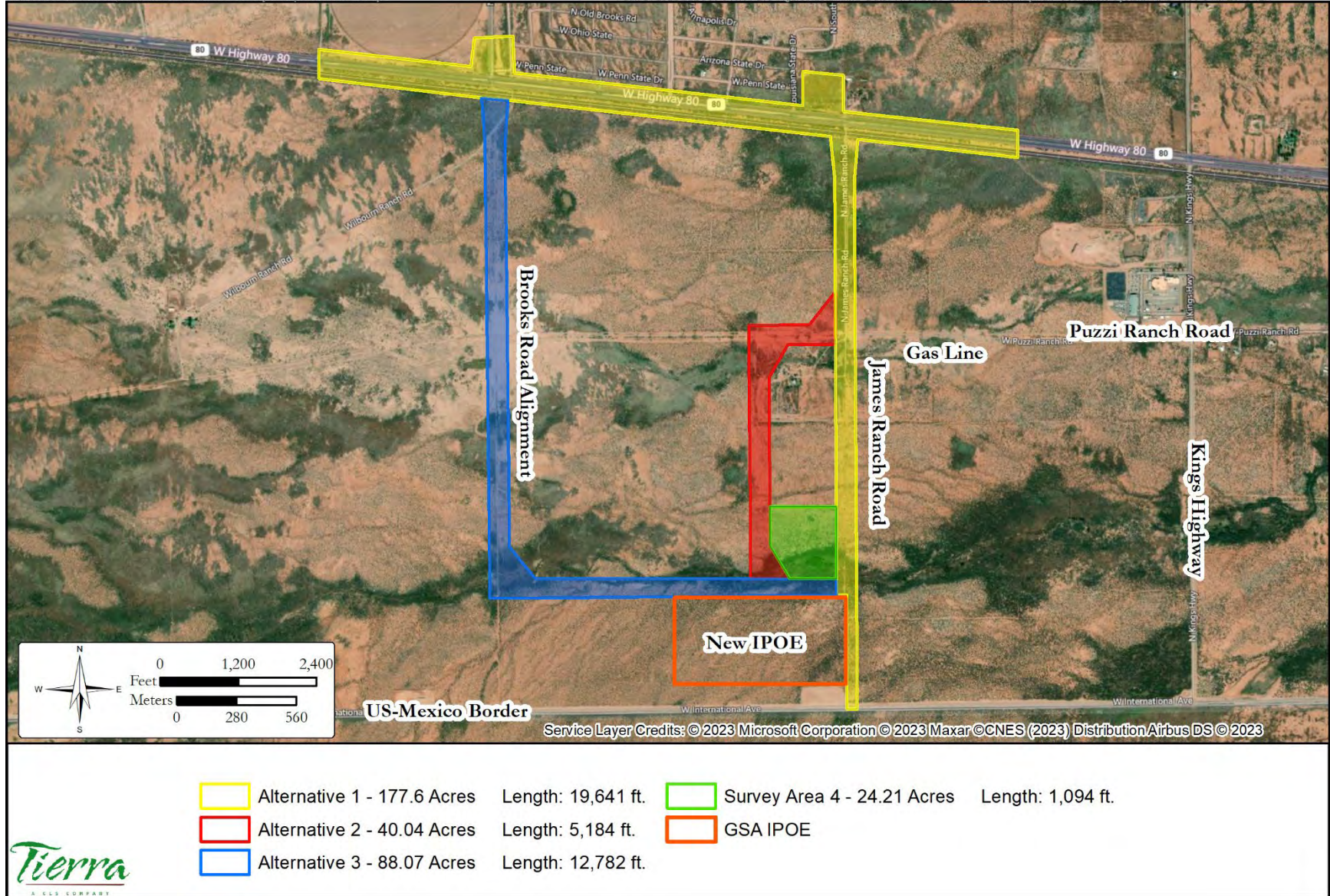


Figure 2. Project detail.

No Build Alternative

The No Build alternative is required as part of the NEPA process. The No Build alternative assumes that the existing roadway configuration would be maintained, meaning that the proposed IPOE would have no connectivity to the existing roadway system in the area. Because the creation of the IPOE is dependent on a roadway that could handle a heavy percentage of commercial truck traffic, including oversized vehicles, it would effectively result in the proposed General Services Administration (GSA) port to not be built. This would mean the current configuration at the existing (Raul Hector Castro) Douglas IPOE would remain in place (Figure 3).

Alternative 1

Alternative 1 consists of constructing a new at-grade roadway along James Ranch Road. This alignment would provide a straight connection from SR 80 to the proposed IPOE. A traffic study is being conducted to determine the appropriate traffic control at the intersection of SR 80 and James Ranch Road, both for the proposed opening of the GSA IPOE and future 2040 conditions. This alignment would cross three washes. A drainage study is being conducted to determine the appropriate culverts or drainage structures to accommodate the washes at the roadway crossings. An entrance/exit into the GSA IPOE would be provided near the eastern end of its 80-acre parcel.

Alternative 2

Alternative 2 consists of constructing a new at-grade roadway from SR 80 along James Ranch Road for approximately 0.5 mile and then would turn west on Puzzi Ranch Road. Approximately 0.25 mile from James Ranch Road, the roadway will turn south and follow the 0.25-mile alignment to the new IPOE. Similar to the first alternative, it is anticipated that this roadway alignment would cross three existing washes and an entrance/exit into the GSA IPOE would be provided near the center of its 80-acre parcel. Proposed drainage structures and traffic control will be further evaluated for this alternative and the results will be summarized in the Design Concept Report and used in the preliminary design plans.

Alternative 3

Alternative 3 consists of constructing a new at-grade roadway along the Brooks Road alignment and over three washes from the new IPOE to SR 80. Signals would be provided at the intersection with SR 80. An entrance/exit into the GSA IPOE would be provided along the western end of its 80-acre parcel.

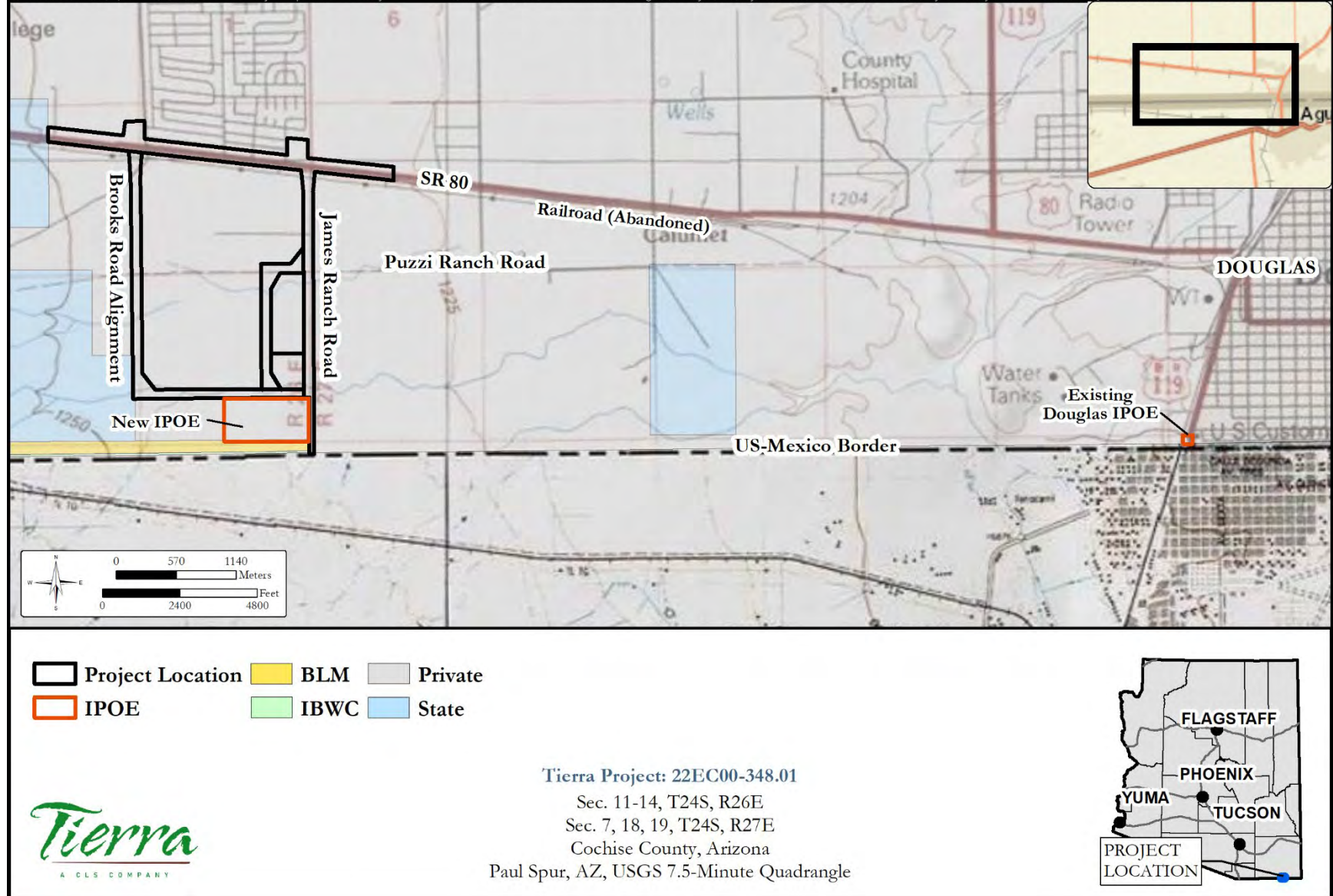


Figure 3. Project vicinity.

2. Federally Proposed and Listed Species and Designated Critical Habitat

The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) system was accessed on December 28, 2023 (Project Code: 2024-0030833) by Kelsey Crawford, biologist, Tierra Right of Way Services, Ltd., to identify the species protected by the Endangered Species Act (ESA) for evaluation of project-related impacts (see Appendix C).

The USFWS IPaC system and the Arizona Game and Fish Department (AGFD) Arizona Environmental Online Review Tool Report (see Appendix C) were reviewed for the presence of critical habitat within the action area. Neither source identified critical habitat in the project area.

The species included in the IPaC official species list with the potential to occur within the action area are summarized in Table 1. None of the species in Table 1 is evaluated in detail. The project and related erosion and sediment control measures would have no effect on these species excluded from further evaluation and would have no effect on any designated or proposed critical habitats.

Table 1. Project species list (no critical habitat present); species excluded from further evaluation with a no effect determination.

Species	Status	Habitat Requirements	Exclusion Justification
Mammals			
Jaguar (<i>Panther onca</i>)	ESA LE	Jaguars in Arizona generally prey on large mammals, such as javelina and deer, and may occur in a variety of habitats from desertscrub up through conifer forests from 1,600 to 9,000 feet elevation. However, all recent sightings have been in montane situations. Since 1996, only six or seven individuals were documented in the United States—in the Atascosa, Baboquivari, Chiricahua, Dos Cabezas, Huachuca, Peloncillo, Santa Rita, and Whetstone Mountains in Cochise, Pima, and Santa Cruz Counties (AGFD 2020).	Unlikely to occur in the project area. Jaguar is rare in Arizona. No females have been seen in Arizona since 1963 and no cubs since 1910. The most recent sightings of transient males have been in forested habitats in the Huachuca and Santa Rita Mountains. The project vicinity does not have forest habitat. Local movement to and from Mexico is precluded by the border wall.
Critical Habitat for jaguar	CH	The closest final critical habitat is along the southeastern border of Arizona, next to Mexico and New Mexico. This area includes Baker Canyon Wilderness Study Area and Whitmire Canyon Wilderness Study Area and is approximately 35 miles east and northeast of the project construction footprint.	There is final critical habitat for this species, but the project does not overlap it. There is no critical habitat within the action area.

Species	Status	Habitat Requirements	Exclusion Justification
Birds			
Northern aplomado falcon <i>(Falco femoralis septentrionalis)</i>	ESA XN	Aplomado falcons in the southwestern United States feed chiefly on birds but also on insects and other small vertebrates. They inhabit yucca and honey mesquite grasslands and adjacent riparian woodlands from 3,300 to 4,900 feet elevation. The falcon is extirpated from Arizona, with the last sighting in 1977, but no records have been substantiated since 1940. Captive-bred falcons were reintroduced in west Texas and southern New Mexico from 2002 to 2011 (AGFD 2022a).	Unlikely to occur in the project area. No aplomado falcons have been seen in Arizona since 1977. While the nonessential population covers all of Arizona, reintroduction efforts have been limited to Texas and New Mexico (<i>Federal Register</i> 71[143]: 42298–42315).
Southwestern willow flycatcher <i>(Empidonax traillii extimus)</i>	ESA LE	For nesting, this species requires dense riparian habitats (cottonwood/willow and tamarisk vegetation) with microclimatic conditions dictated by the local surroundings. Saturated soils, standing water, or nearby streams, pools, or cienegas are a component of nesting habitat that also influences the microclimate and density vegetation component. Habitat not suitable for nesting may be used for migration and foraging. Typically found below 8,500 feet elevation.	There is potential stopover habitat for this species in wash areas with large amounts of tamarisk and mesquite trees. No suitable breeding habitat; ephemeral basin.

Species	Status	Habitat Requirements	Exclusion Justification
Critical habitat for southwestern willow flycatcher	CH	The closest critical habitat is roughly 62 miles northwest of the construction footprint in Las Cienegas National Conservation Area around Cienega Creek.	There is final critical habitat for this species, but the project does not overlap it.
Yellow-billed cuckoo (<i>Coccyzus americanus</i>)	ESA LT	Yellow-billed cuckoos primarily eat large insects but also feed on small vertebrates. This bird is a riparian obligate that uses large, contiguous patches of multilayered riparian habitat such as cottonwood-willow gallery forests along rivers and streams from 3,564 to 5,480 feet elevation. Intermittent and ephemeral streams and adjacent uplands are also important components of nesting and foraging habitat (AGFD 2022b).	Unlikely to occur in the project area. No suitable riparian habitat.
Critical habitat for yellow-billed cuckoo	CH	The closest critical habitat is in San Bernadino National Wildlife Refuge roughly 23 miles east of the project's construction footprint.	There is final critical habitat for this species, but the project does not overlap it. There is no critical habitat within the action area.

Species	Status	Habitat Requirements	Exclusion Justification
Amphibians			
Chiricahua leopard frog (<i>Lithobates chiricahuensis</i>)	ESA LT	This ranid is an aquatic obligate that feeds on invertebrates as adults, and larvae are herbivorous. They are currently restricted to springs, and streams free from non-native predators from 3,281 to 8,890 feet elevation (AGFD 2023a).	Unlikely to occur in the project area. No suitable aquatic habitat.
Critical Habitat for Chiricahua leopard frog	CH	The closest critical habitat is in Leslie Canyon National Wildlife Refuge roughly 18 miles northeast of the project.	There is final critical habitat for this species, but the project does not overlap it. There is no critical habitat within the action area.
Fishes			
Yaqui catfish (<i>Ictalurus pricei</i>)	ESA LT	This catfish feeds on aquatic invertebrates, fish, and organic debris. It occurs in the deeper water of ponds and streams during the daytime and moves to shallower riffles and runs to feed at night from 4,000 to 5,000 feet elevation. This species was extirpated from the United States in 1973 and was reintroduced in the San Bernardino National Wildlife Refuge in 1997 (AGFD 2023b).	Unlikely to occur in the project area. No suitable aquatic habitat.
Critical Habitat for Yaqui catfish	CH	The closest critical habitat is in San Bernadino National Wildlife Refuge roughly 23 miles east of the project's construction footprint.	There is final critical habitat for this species, but the project does not overlap it. There is no critical habitat within the action area.
Yaqui chub (<i>Gila purpurea</i>)	ESA LE	Yaqui chub chiefly eats algae and invertebrates and occurs in spring systems, creeks, and ponds with emergent vegetation from 3,730 to 5,840 feet elevation (AGFD 2023c).	Unlikely to occur in the project area. No suitable aquatic habitat.
Critical Habitat for Yaqui chub	CH	The closest critical habitat is in San Bernadino National Wildlife Refuge roughly 23 miles east of the project's construction footprint.	There is final critical habitat for this species, but the project does not overlap it. There is no critical habitat within the action area.

Species	Status	Habitat Requirements	Exclusion Justification
Insects			
Monarch butterfly (<i>Danaus plexippus</i>)	ESA C	Monarchs are nectar feeders that prefer <i>Asclepias</i> species (milkweed) as host plants. They migrate through Arizona from October to April, where they are found from the low deserts to higher elevations. Other food plants include species from the genera <i>Zinnia</i> and <i>Baccharis</i> (Bailowitz and Brock 1991).	No suitable habitat. No obligate milkweeds were seen within the construction footprint.
Plants			
Arizona eryngo (<i>Eryngium sparganophyllum</i>)	ESA LE	The species occurs in moist, organic alkali soils found in spring-fed cienegas (arid land wetlands) supported by adequate groundwater.	No suitable habitat. No springs or cienegas.
Critical habitat for Arizona eryngo	CH	The FWS designates critical habitat in two units, on private and public property, totaling 12.7 acres in Pima and Cochise Counties, Arizona.	There is final critical habitat for this species, but the project does not overlap it. There is no critical habitat within the action area.
Wright's marsh thistle (<i>Cirsium wrightii</i>)	ESA LT	This herbaceous biennial is a wetland obligate that grows on wet, alkaline soils on the margins of spring seeps, cienegas, streams, and ponds in semiarid and arid situations from 3,450 to 8,500 feet elevation. Flowering occurs March through August. It is extirpated from Arizona, and the current distribution is limited to New Mexico (AGFD 2023d).	Unlikely to occur in the project area. No suitable aquatic habitat.
Critical Habitat for Wright's marsh thistle	CH	There is final critical habitat 320 miles northeast near Whites City, New Mexico.	There is final critical habitat for this species, but the project does not overlap it. There is no critical habitat within the action area.

Status Definitions: C = Candidate; ESA = Endangered Species Act; LE = Listed Endangered; LT = Listed Threatened; XN = Experimental Nonessential Population.

3. Environmental Baseline

The environmental baseline represents the current biological and physical conditions of the action area (defined in Section 5).

Review of historical imagery on Google Earth indicates little land clearing in the action area from December 30, 1985, to April 13, 2023. Notable exceptions include the recently constructed section of the border wall and the new IPOE.

This baseline describes the current conditions and reflects the following past and present impacts of all known Federal, State, or private activities, all proposed Federal projects that have already undergone Section 7 consultation, and known State or private actions that are contemporaneous with the consultation in process.

These chiefly include:

- An existing border wall and associated scrap metal pile built between April and August 2020
- An existing U.S. Customs and Border Protection (CBP) station built somewhere between October 7, 1996, and August 19, 2003, and located east of James Ranch Road and south of SR 80 on Kings Highway
- The existing SR 80 ROW dedicated before December 1985
- The existing natural gas pipeline built before December 1985 (Figure 4)
- A recently platted subdivision north of SR 80 (see Figure 4)
- Private ranching operations that have continued since before December 1985 (see Figure 4)
- Cropland before December 1985 (see Figure 4)
- Areas in Mexico before December 1985

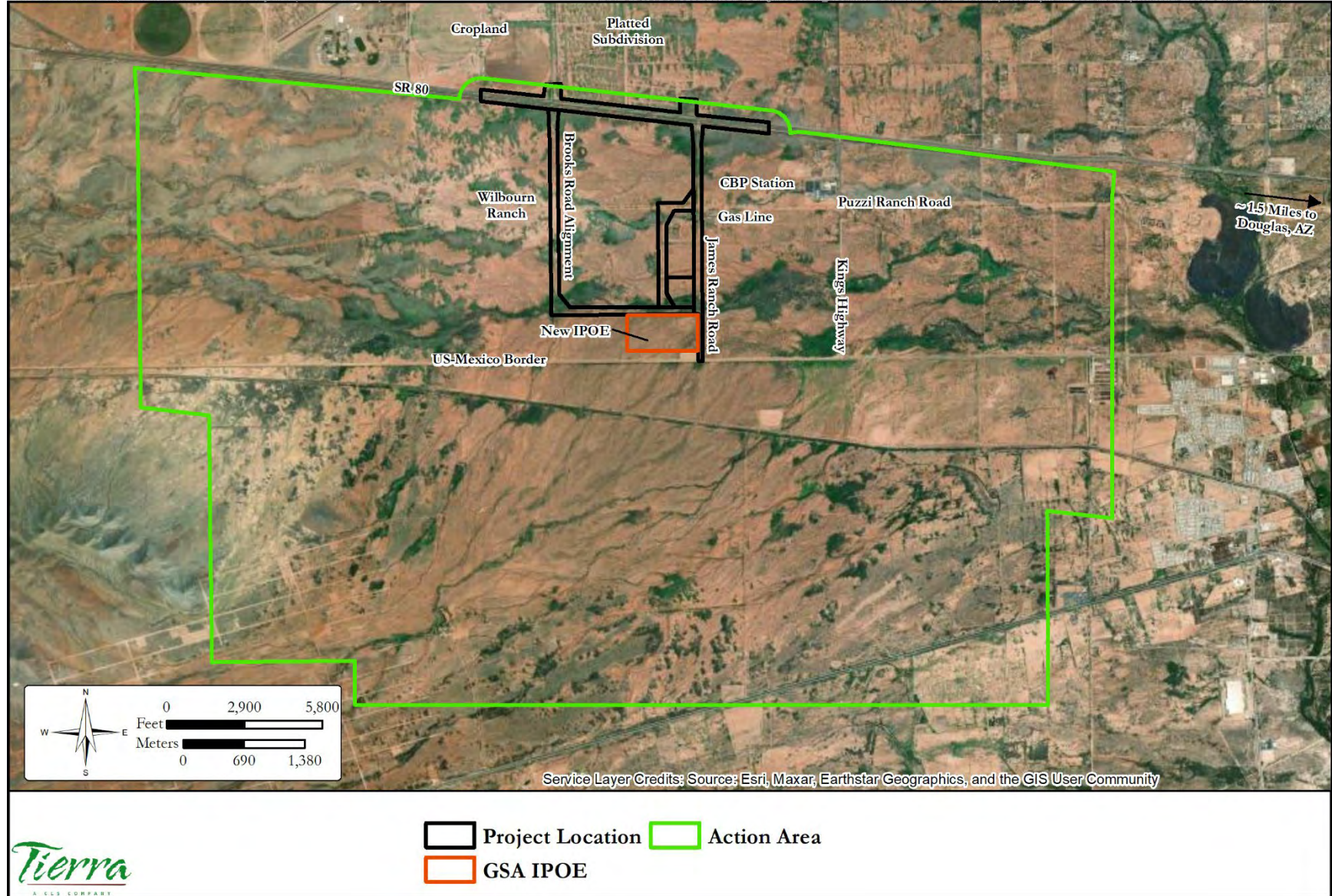


Figure 4. Action area.

Site visits were conducted April 10–12 and December 14, 2023. The project includes a 2-mile section of SR 80. The ROW was recently mowed. Few existing structures are south of SR 80 and include Wilbourne Ranch, the CBP station, and a residence. The action area is in a rural setting. Land use north of SR 80 includes the University of Arizona Douglas campus, the landing strip, crop fields, a platted residential subdivision, and open space. Land use south of SR 80 includes the CBP station, two residences, a natural gas line, and cattle ranching. The overall area surveyed totaled 330 acres, not including the new IPOE (80 acres).

No surface water was seen during the site visit, but a few dry stock tanks and patches of floodplain exist (Figure 5). The floodplains mostly contain Siberian elm (*Ulmus pumila*), velvet mesquite (*Prosopis velutina*), whitethorn acacia (*Vachellia constricta*), and catclaw acacia (*Senegalia greggii*) over Johnsongrass (*Sorghum halepense*) and muhly grasses (*Muhlenbergia* spp.). The project area is fairly flat, and water runs off in sheet flow from west to east. Elevations range from about 4,104 feet at the west end of SR 80 to 4,032 feet at the east end of SR 80.

The action area contains disclimax Chihuahua desertscrub communities (Brown 1994) modified from historic heavy grazing. Natural areas are not diverse. Whitethorn acacia and creosote bush (*Larrea tridentata*) are ubiquitous. Less common plants in the uplands include catclaw acacia, desert broom (*Baccharis sarothroides*), Anderson's wolfberry (*Lycium andersonii*), broom snakeweed (*Gutierrezia sarothrae*), silverleaf nightshade (*Solanum elaeagnifolium*), soap tree yucca (*Yucca elata*), sotol (*Dasyllirion wrightii*), staghorn cholla (*Cylindropuntia versicolor*), dwarf desert peony (*Acourtia nana*), desert unicorn plant (*Proboscidea althaeifolia*), James' galleta (*Pleuraphis jamesii*), tobosa grass (*Pleuraphis mutica*), and low woollygrass (*Dasyochloa pulchella*). Soils are chiefly gravelly sandy loams.

Wildlife seen during the field visit included black-tailed jackrabbit (*Lepus californicus*), javelina (*Tayassu tajacu*), turkey vulture (*Cathartes aura*), red-tailed hawk (*Buteo jamaicensis*), mourning dove (*Zenaida macroura*), curve-billed thrasher (*Toxostoma curvirostre*), and northern mockingbird (*Mimus polyglottos*). Wildlife sign observed included coyote (*Canis latrans*) scat, mule deer (*Odocoileus hemionus*) scat, cactus wren (*Campylorhynchus brunneicapillus*) nests, and a verdin (*Auriparus flaviceps*) nest.

4. Scope of Work

4.1 Construction

The project team is preparing a Design Concept Report and an Environmental Assessment to evaluate no-build and build alternatives for improvements on primarily undeveloped commercial and residential property. After the final design is complete, the scope of work for this project would include:

- Constructing a four-lane divided roadway in the vicinity of James Ranch Road between SR 80 and the new POE on the north side of the U.S.–Mexico border
- Installing culverts under the connector road to accommodate stormwater runoff
- Constructing a new intersection between SR 80 and the connector road

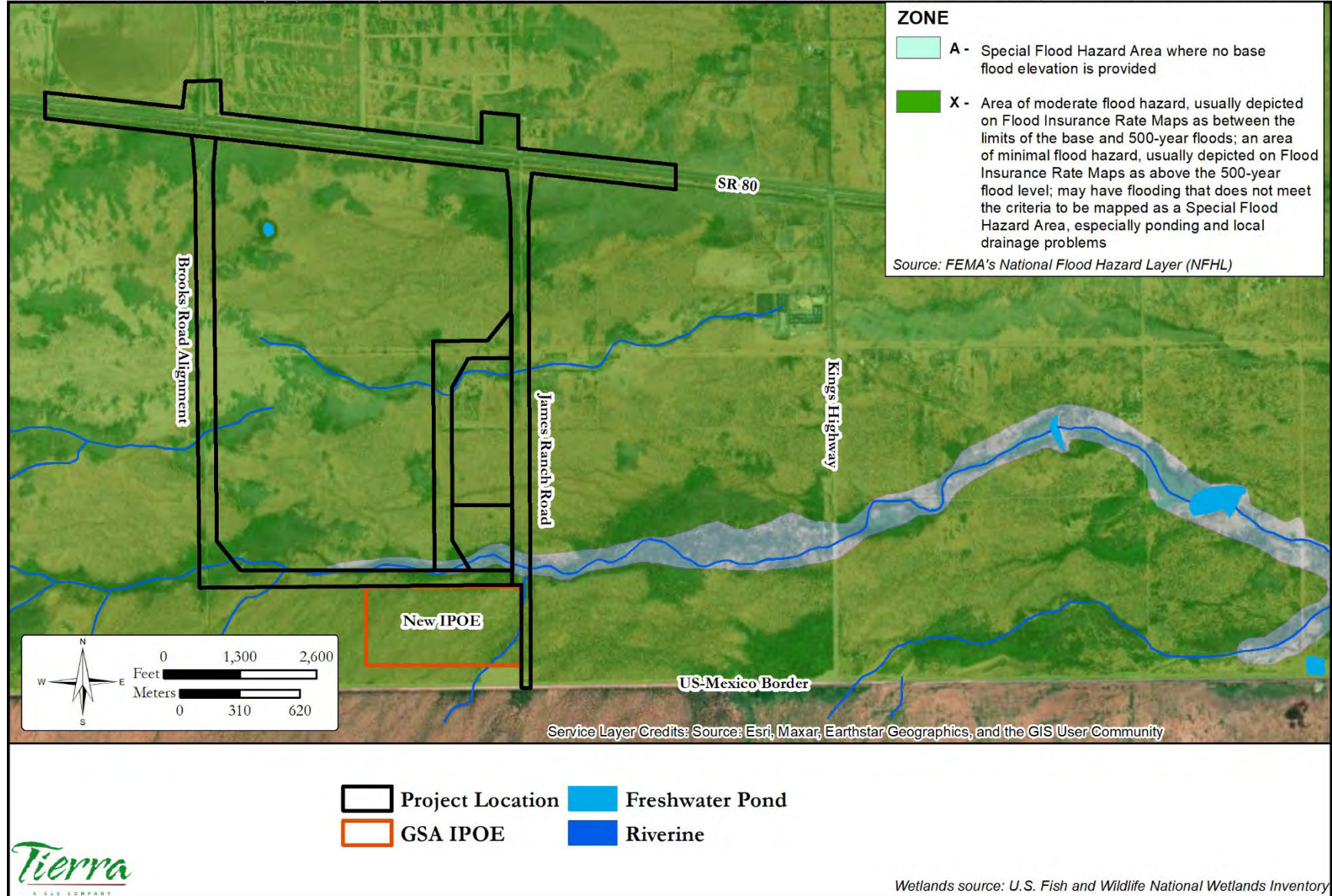


Figure 5. Federal Emergency Management Agency flood zones and water resources.

Construction is expected to last 16 months following ROW acquisition, with completion coinciding with the opening of the new IPOE. Traffic would be controlled along SR 80 during intersection construction to minimize impacts on motorists, pedestrians, and construction personnel, as needed. No detours are anticipated during construction. Access to adjacent properties would be maintained throughout construction. The acquisition of approximately 125 acres of new ROW from adjacent property owners is anticipated. Construction efforts would temporarily elevate noise levels. An unknown quantity of trees and vegetation would be removed during construction, depending on the alternative selected. Specific details related to construction timing and sequencing are not yet known nor are specific permanent versus temporary disturbance quantities. A general assumption is that standard large equipment typically used for new roadway construction would be used during construction (e.g., bulldozers, graders, dump trucks, concrete trucks, paving equipment).

4.2 Potential Impacts on Water Quality and Clean Water Act Compliance

The project would incorporate stormwater pollution prevention practices per Section 104.09 (Prevention of Stormwater Pollution) in ADOT's Standard Specifications for Road and Bridge Construction. Because the project would result in disturbance of 1 or more acres of land, a stored specification requiring a Stormwater Pollution Prevention Plan and an Arizona Pollutant Discharge Elimination System (AZPDES) permit would be included in the contract.

It is undetermined whether the project would involve disturbance to jurisdictional Waters of the United States as regulated by the U.S. Army Corps of Engineers. An Approved Jurisdictional Delineation would be completed prior to construction following the most current guidance from the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers. The extent of Clean Water Act Section 404 permitting would be determined at that time.

The construction footprint is not within 1 mile upstream or 0.5 mile downstream of an impaired, not-attaining, or Outstanding Arizona Water (OAW) or on a tributary to an impaired water or OAW and within 1 mile of the impaired water or OAW (Arizona Department of Environmental Quality 2023).

5. Project Action Area

The action area includes all areas to be affected directly or indirectly by the action and may not merely be the construction footprint (50 CFR § 402.02).

The direct impacts from this project would likely be limited to habitat loss and fragmentation, and the possible take of bird's nests and burrowing wildlife within the construction footprint. Lesser effects include vibration, fugitive dust, noise, sedimentation, and lighting that may cause some wildlife species to avoid the action area during construction. Interdependent and interrelated effects are identical and cumulative to those, and include effects from, building a new POE at the international border and construction of a new roadway in Mexico to process commercial traffic through the new IPOE.

5.1 Direct Effects

Construction of a new roadbed in any of the alternatives would remove habitat for general wildlife and may harm or kill burrowing wildlife. No species with Federal status are expected to be affected by the project. Habitat fragmentation and modification resulting from Alternatives 1, 2, and 3 are not expected to affect any Federally listed species.

5.2 Indirect Effects

These effects may cause some wildlife species to avoid the area during construction. Indirect impacts are expected to include noise and vibration from heavy construction equipment, sedimentation, fugitive dust, and

possibly lighting. Indirect affects should not impact threatened and endangered species because none are expected to occur in the project area.

Lighting

It is currently unknown whether nighttime construction would occur. If lighting is used at night, lights would be shielded and directed at the work site and used only where necessary.

Fugitive Dust

Dust would be controlled with Best Management Practices approved by ADOT and Cochise County. The Cochise County Land Clearing Ordinance (No. 00-030; approved July 17, 2000) requires dust control during clearing and until the site is revegetated or otherwise stabilized. The impacts of dust are expected to be much smaller than the area affected by construction noise.

Vibration

No blasting is anticipated for this project. Vibration from construction equipment is expected to dissipate to levels not humanly perceptible at 400 feet from the source (Federal Railroad Administration 2012), well within the effects of construction noise.

Sedimentation

There are no perennial surface waters within the construction footprint. Construction activities would involve work within the 100-year floodplain and possibly in potential Waters of the United States, should they be determined to exist, that may have temporary minor effects on downstream water resources. These activities would be mitigated by conservation measures built into the construction plans for this project that would minimize potential impacts. Consequently, no impacts are anticipated from debris falling into surface waters because there are no surface waters present.

The project would require an AZPDES Construction General Permit. The Best Management Practices (BMPs) associated with the permit are expected to fully offset the effects of sedimentation into downstream water resources, should surface flows from a localized storm event be present, if they are maintained until the construction footprint is stabilized. It is estimated that any temporary failure of the BMPs may allow sediment to carry as far 100 feet from the construction footprint, should surface flows be present, that could contribute to turbidity of downstream water resources.

Noise

Blasting during construction is not anticipated. There are two ambient noise levels within the project area, both of which vary in space and time. The north part of the project includes SR 80, a principal arterial that emits an average of about 67 A-weighted decibels (dBA) and grades into a rural ranching area with an average ambient level of about 40 to 42 dBA. Kings Highway, just north of SR 80, is a minor collector. The project would emit noise from construction equipment. The maximum average is about 85 dBA (ADOT 2015; FHWA 2006). The distances of attenuation to ambient levels were estimated to define the action area. Noise attenuation follows the inverse square law, with a reduction of 6 decibels of sound pressure with each doubling of distance from the source. These distances include an 800-foot buffer around SR 80 and a 12,800-foot buffer in the remaining area south of SR 80 (see Figure 4). Construction noise may affect wildlife in the area but is not expected to affect threatened or endangered species.

6. Determination of Effects to Listed Species

No suitable habitat for any listed species is in the action area. Therefore, the project would have no effect on the following threatened and endangered species or their habitat:

- Jaguar (*Panthera onca*)
- Northern aplomado falcon (*Falco femoralis septentrionalis*)
- Yellow-billed cuckoo (*Coccyzus americanus*)
- Southwestern willow flycatcher (*Empidonax traillii extimus*)
- Chiricahua leopard frog (*Lithobates chiricahuensis*)
- Yaqui catfish (*Ictalurus pricei*)
- Yaqui chub (*Gila purpurea*)
- Arizona eryngo (*Eryngium sparganophyllum*)
- Wright's marsh thistle (*Cirsium wrightii*)

No critical habitat is in the action area. Therefore, the project would have no effect on designated critical habitat for the following threatened and endangered species:

- Jaguar (*Panthera onca*)
- Yellow-billed cuckoo (*Coccyzus americanus*)

Southwestern willow flycatcher (*Empidonax traillii extimus*)

- Chiricahua leopard frog (*Lithobates chiricahuensis*)
- Yaqui catfish (*Ictalurus pricei*)
- Yaqui chub (*Gila purpurea*)
- Arizona eryngo (*Eryngium sparganophyllum*)
- Wright's marsh thistle (*Cirsium wrightii*)

The project would have no impact on the monarch butterfly (*Danaus plexippus*).

7. Environmental Commitments

The following environmental commitments are for species discussed only in Appendix B.

Roadside Development Section Requirements

- The Arizona Department of Transportation Roadside Development Section would provide special provisions for the control of noxious and invasive plant species during construction that may require treatment and control within the project limits.
- Protected native plants within the project limits would be impacted by this project; therefore, the Arizona Department of Transportation Roadside Development Section would determine if Arizona Department of Agriculture notification is needed. If notification is needed, the Arizona Department of Transportation Roadside Development Section would send the notification at least 60 (sixty) calendar days prior to the start of construction.

Southeast District Responsibility

- If clearing, grubbing, or tree/limb removal will take place during the breeding season (March 1 to August 31), the Engineer will contact Arizona Department of Transportation Environmental Planning to arrange for a qualified biologist to conduct active nest surveys of vegetation 10 (ten) days prior to removal. During the non-breeding season (September 1 to February 28), clearing, grubbing, or tree/limb removal may proceed without restriction.

Contractor Requirements

- The contractor shall not conduct any clearing, grubbing, or tree/limb removal from March 1 to August 31 unless a qualified biologist approved by Arizona Department of Transportation Environmental Planning has conducted a bird nest search of the affected vegetation and has determined that no active bird nests are present. Vegetation removal may occur if the area has been surveyed within 10 (ten) days prior to removal as long as only inactive bird nests, if any, are present.
- The contractor shall develop a Noxious and Invasive Plant Species Treatment and Control Plan in accordance with the requirements in the contract documents. Plants to be controlled shall include those listed in the State and Federal noxious weed and the State invasive species lists in accordance with State and Federal laws and executive orders. The plan and associated treatments shall include all areas within the project right-of-way and easements as shown on the project plans. The treatment and control plan shall be submitted to the Engineer for the Arizona Department of Transportation Construction Professional Landscape Architect for review and approval prior to implementation by the contractor.
- Prior to the start of ground-disturbing activities and throughout the duration of construction and any landscape establishment period, the contractor shall arrange for and perform the control of noxious and invasive species in the project area.
- To prevent the introduction of invasive species seeds, all earthmoving and hauling equipment shall be washed prior to entering the construction site and the contractor shall inspect all construction equipment and remove all attached debris, including plant parts, soil, and mud, prior to the equipment entering the construction site.
- To prevent invasive species seeds from leaving the site, the contractor shall inspect all construction and hauling equipment and remove all debris, including plant parts, soil, and mud, prior to leaving the construction site.

8. Literature Cited

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9. Signatures

Prepared by:  Date: 01/05/2024
Name: Bruce Pavlick
Title: Senior Biologist
Firm Name: Tierra Right of Way Services, Ltd.

Reviewed by:  Date: 01/05/2024
Name: Thomas C. Ashbeck
Title: Director, Environmental Planning and Resources
Firm Name: Tierra Right of Way Services, Ltd.

APPENDIX A
PHOTOS



Photo A-1. East view from westbound SR 80 at the north end of Alternative 1.



Photo A-2. East view from southwest corner of Alternative 3.



Photo A-3. North view of James Ranch Road from the international border, Alternative 1.



Photo A-4. West view from westbound SR 80 at the east side of Alternative 1.



Photo A-5. East view of gas line from the northwest corner of Alternative 2.

APPENDIX B

OTHER SPECIAL STATUS SPECIES

I. MIGRATORY BIRD TREATY ACT

Three possibly active nests were observed during the site visit in the Alternative 3 area. They include two cactus wren (*Campylorhynchus brunneicapillus*) nests and a verdin (*Auriparus flaviceps*) nest. The following environmental commitment would ensure compliance with the Migratory Bird Treaty Act.

Southeast District Responsibility

- If clearing, grubbing, or tree/limb removal will take place during the breeding season (March 1 to August 31), the Engineer will contact Arizona Department of Transportation Environmental Planning to arrange for a qualified biologist to conduct active nest surveys of vegetation 10 (ten) days prior to removal. During the non-breeding season (September 1 to February 28), clearing, grubbing, or tree/limb removal may proceed without restriction.

Contractor Responsibility

- The contractor shall not conduct any clearing, grubbing, or tree/limb removal from March 1 to August 31 unless a qualified biologist approved by Arizona Department of Transportation Environmental Planning has conducted a bird nest search of the affected vegetation and has determined that no active bird nests are present. Vegetation removal may occur if the area has been surveyed within 10 (ten) days prior to removal as long as only inactive bird nests, if any, are present.

II. BALD AND GOLDEN EAGLE PROTECTION ACT

The construction footprint and surrounding ROW was evaluated by Bruce Pavlick. It is not located in the range or suitable habitat for bald and/or golden eagles. The project would not disturb or result in take of bald or golden eagles.

III. FISH AND WILDLIFE COORDINATION ACT

This project is a Federal action but it would not impound, divert, deepen the channel, or otherwise control or modify any stream or other body of water. The Fish and Wildlife Coordination Act does not apply.

IV. NOXIOUS AND INVASIVE PLANT SPECIES

The construction footprint and surrounding ROW were surveyed for the presence of noxious and invasive plants on April 10–12 and December 14, 2023, by windshield and pedestrian survey. No noxious and/or invasive plants were reported within the construction footprint and surrounding ROW. Regardless, a Noxious Species Control Plan would be required for the project to prevent the spread of noxious and/or invasive plants into the construction footprint. The following environmental commitments would help minimize the spread of invasive and noxious plants.

Roadside Development Section Requirement

- The Arizona Department of Transportation Roadside Development Section would provide special provisions for the control of noxious and invasive plant species during construction that may require treatment and control within the project limits.

Contractor Requirements

- The contractor shall develop a Noxious and Invasive Plant Species Treatment and Control Plan in accordance with the requirements in the contract documents. Plants to be controlled shall include those listed in the State

and Federal noxious weed and the State invasive species lists in accordance with State and Federal laws and executive orders. The plan and associated treatments shall include all areas within the project right-of-way and easements as shown on the project plans. The treatment and control plan shall be submitted to the Engineer for the Arizona Department of Transportation Construction Professional Landscape Architect for review and approval prior to implementation by the contractor.

- Prior to the start of ground-disturbing activities and throughout the duration of construction and any landscape establishment period, the contractor shall arrange for and perform the control of noxious and invasive species in the project area.
- To prevent the introduction of invasive species seeds, all earthmoving and hauling equipment shall be washed prior to entering the construction site and the contractor shall inspect all construction equipment and remove all attached debris, including plant parts, soil, and mud, prior to the equipment entering the construction site.
- To prevent invasive species seeds from leaving the site, the contractor shall inspect all construction and hauling equipment and remove all debris, including plant parts, soil, and mud, prior to leaving the construction site.

V. OTHER FEDERAL SENSITIVE SPECIES

Not applicable.

VI. STATE SENSITIVE SPECIES

The AGFD Arizona Environmental Online Review Tool was accessed on December 28, 2023 (HGIS-20988) to determine whether special status species have been reported to occur in the area surrounding the project. As part of the environmental review process, a letter describing the project was sent to the AGFD to inform it of the project and to solicit comments. The letter requested any specific concerns, suggestions, or recommendations the agency may have related to the project. The AGFD did not send a response letter. No accommodations are necessary for sensitive species.

VII. PROTECTED NATIVE PLANTS

The construction footprint and surrounding ROW was surveyed from the vehicle windshield and on foot for the presence of protected native plants on April 10–12 and December 14, 2023. No species protected under the ESA were seen during fieldwork. Plants protected by the State of Arizona found within the construction footprint are included in Table B-2.

Table B-2. Protected plants seen within the construction footprint.

Plant Form	Species Name	Status
Trees	Velvet mesquite <i>Prosopis velutina</i>	Salvage Assessed Harvest Restricted
	Sotol <i>Dasylirion wrightii</i>	Salvage Restricted
Succulents	Soaptree yucca <i>Yucca elata</i>	Salvage Restricted
	Staghorn cholla <i>Cylindropuntia versicolor</i>	Salvage Restricted
Cacti		

Note: Nomenclature follows U.S. Department of Agriculture plants database (<https://plants.usda.gov/>).

The following environmental commitment would ensure compliance with the Arizona Native Plant Law.

ADOT Roadside Development Requirement

- Protected native plants within the project limits would be impacted by this project; therefore, the Arizona Department of Transportation Roadside Development Section would determine if Arizona Department of Agriculture notification is needed. If notification is needed, the Arizona Department of Transportation Roadside Development Section would send the notification at least 60 (sixty) calendar days prior to the start of construction.

VIII. WILDLIFE CONNECTIVITY

ADOT, the AGFD, the FHWA, and representatives from other agencies have completed a Wildlife Linkages Assessment to address important wildlife movement corridors in Arizona. The AGFD Arizona Environmental Online Review Tool included a standard response regarding local or regional needs of wildlife movement, connectivity, access to habitat needs, and design of various roadway features such as culverts and bridges.

The project is not located within the Potential Linkage Zones identified in the *Arizona Wildlife Linkages Assessment* (Arizona Wildlife Linkage Workgroup 2006).

APPENDIX C

AGENCY COORDINATION

The USFWS IPaC system and the AGFD Arizona Environmental Online Review Tool were used to identify special status species that may occur in the area surrounding the project. The IPaC and AGFD Arizona Environmental Online Review Tool results are included in this appendix. Field studies concluded that no special status species would be affected by this project. As part of the environmental review process, a letter describing the project was sent to the AGFD (Cheri Bouchér, Transportation Project Evaluation Specialist, Arizona Game and Fish Department, WMHB–Project Evaluation Program, 5000 West Carefree Highway, Phoenix, Arizona 85086-5000) on April 7, 2023, to inform the agency of the project and to solicit comments (letter included in this appendix). The AGFD did not respond.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Arizona Ecological Services Field Office
9828 North 31st Ave
#c3
Phoenix, AZ 85051-2517
Phone: (602) 242-0210 Fax: (602) 242-2513



In Reply Refer To: December 28, 2023
Project Code: 2024-0030833
Project Name: City of Douglas International Port of Entry Connector Road Study

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The Fish and Wildlife Service (Service) is providing this list under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). The list you have generated identifies threatened, endangered, proposed, and candidate species, and designated and proposed critical habitat, that *may* occur within the One-Range that has been delineated for the species (candidate, proposed, or listed) and its critical habitat (designated or proposed) with which your project polygon intersects. These range delineations are based on biological metrics, and do not necessarily represent exactly where the species is located. Please refer to the species information found on ECOS to determine if suitable habitat for the species on your list occurs in your project area.

The purpose of the Act is to provide a means whereby threatened and endangered species and the habitats upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of Federal trust resources and to determine whether projects may affect federally listed species and/or designated critical habitat. A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12. If the Federal action agency determines that listed species or critical habitat *may be affected* by a federally funded, permitted or authorized activity, the agency must consult with us pursuant to 50 CFR 402. Note that a "may affect" determination includes effects that may not be adverse and that may be beneficial, insignificant, or discountable. An effect exists even if only one individual

or habitat segment may be affected. The effects analysis should include the entire action area, which often extends well outside the project boundary or "footprint." For example, projects that involve streams and river systems should consider downstream affects. If the Federal action agency determines that the action may jeopardize a *proposed* species or may adversely modify *proposed* critical habitat, the agency must enter into a section 7 conference. The agency may choose to confer with us on an action that may affect proposed species or critical habitat.

Candidate species are those for which there is sufficient information to support a proposal for listing. Although candidate species have no legal protection under the Act, we recommend that they be considered in the planning process in the event they become proposed or listed prior to project completion. More information on the regulations (50 CFR 402) and procedures for section 7 consultation, including the role of permit or license applicants, can be found in our Endangered Species Consultation Handbook at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>.

We also advise you to consider species protected under the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712) and the Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668 *et seq.*). The MBTA prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when authorized by the Service. The Eagle Act prohibits anyone, without a permit, from taking (including disturbing) eagles, and their parts, nests, or eggs. Currently 1,026 species of birds are protected by the MBTA, including the western burrowing owl (*Athene cucularia hypugaea*). Protected western burrowing owls can be found in urban areas and may use their nest/burrows year-round; destruction of the burrow may result in the unpermitted take of the owl or their eggs.

If a bald eagle or golden eagle nest occurs in or near the proposed project area, our office should be contacted for Technical Assistance. An evaluation must be performed to determine whether the project is likely to disturb or harm eagles. The National Bald Eagle Management Guidelines provide recommendations to minimize potential project impacts to bald eagles (see <https://www.fws.gov/law/bald-and-golden-eagle-protection-act> and <https://www.fws.gov/program/eagle-management>).

The Division of Migratory Birds (505/248-7882) administers and issues permits under the MBTA and Eagle Act, while our office can provide guidance and Technical Assistance. For more information regarding the MBTA, BGEPA, and permitting processes, please visit the following web site: <https://www.fws.gov/program/migratory-bird-permit>. Guidance for minimizing impacts to migratory birds for communication tower projects (e.g. cellular, digital television, radio, and emergency broadcast) can be found at <https://www.fws.gov/media/recommended-best-practices-communication-tower-design-siting-construction-operation>.

The U.S. Army Corps of Engineers (Corps) may regulate activities that involve streams (including some intermittent streams) and/or wetlands. We recommend that you contact the Corps to determine their interest in proposed projects in these areas. For activities within a National Wildlife Refuge, we recommend that you contact refuge staff for specific information about refuge resources, please visit [this link](#) or visit <https://www.fws.gov/program/national->

[wildlife-refuge-system](#) to locate the refuge you would be working in or around.

If your action is on tribal land or has implications for off-reservation tribal interests, we encourage you to contact the tribe(s) and the Bureau of Indian Affairs (BIA) to discuss potential tribal concerns, and to invite any affected tribe and the BIA to participate in the section 7 consultation. In keeping with our tribal trust responsibility, we will notify tribes that may be affected by proposed actions when section 7 consultation is initiated. For more information, please contact our Tribal Coordinator, John Nystedt, at 928/556-2160 or John_Nystedt@fws.gov.

We also recommend you seek additional information and coordinate your project with the Arizona Game and Fish Department. Information on known species detections, special status species, and Arizona species of greatest conservation need, such as the western burrowing owl and the Sonoran desert tortoise (*Gopherus morafkai*) can be found by using their Online Environmental Review Tool, administered through the Heritage Data Management System and Project Evaluation Program (<https://www.azgfd.com/wildlife-conservation/planning-for-wildlife/project-evaluation-program/>).

We appreciate your concern for threatened and endangered species. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office. If we may be of further assistance, please contact our Flagstaff office at 928/556-2118 for projects in northern Arizona, our general Phoenix number 602/242-0210 for central Arizona, or 520/670-6144 for projects in southern Arizona.

Sincerely,
/s/

Heather Whitlaw
Field Supervisor
Attachment

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether

any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Arizona Ecological Services Field Office
9828 North 31st Ave
#c3
Phoenix, AZ 85051-2517
(602) 242-0210

PROJECT SUMMARY

Project Code: 2024-0030833
 Project Name: City of Douglas International Port of Entry Connector Road Study
 Project Type: Road/Hwy - New Construction
 Project Description: The purpose of this project is to provide connectivity from the proposed second international port-of-entry (IPOE) near Douglas to the state highway system. The existing IPOE would remain in place to handle pedestrians, buses, and light vehicles. The project will establish new rights-of-way, install utilities, improve the intersection of SR 80 to accommodate oversize trucks, upgrade or construct a connector road to a heavy multi-lane section. Total approximate length of alternative alignments under consideration is 5.47 miles (by 200 feet wide). A portion of SR 80 is included in the study area, approximately 2.5 miles (by 600 feet wide).

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@31.347692600000002,-109.65605259687572,14z>



Counties: Cochise County, Arizona

ENDANGERED SPECIES ACT SPECIES

There is a total of 10 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Jaguar <i>Panthera onca</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3944	Endangered

BIRDS

NAME	STATUS
Northern Aplomado Falcon <i>Falco femoralis septentrionalis</i> Population: U.S.A (AZ, NM) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1923	Experimental Population, Non-Essential
Southwestern Willow Flycatcher <i>Empidonax traillii extimus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6749	Endangered
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

AMPHIBIANS

NAME	STATUS
Chiricahua Leopard Frog <i>Rana chiricahuensis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1516	Threatened

FISHES

NAME	STATUS
Yaqui Catfish <i>Ictalurus pricei</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5432	Threatened
Yaqui Chub <i>Gila purpurea</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3414	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Arizona Eryngo <i>Eryngium sparganophyllum</i> Population: There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/10705	Endangered
Wright's Marsh Thistle <i>Cirsium wrightii</i> Population: There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8963	Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

1. The [Bald and Golden Eagle Protection Act](#) of 1940.
2. The [Migratory Birds Treaty Act](#) of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO BALD AND GOLDEN EAGLES WITHIN THE VICINITY OF YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Rufous-winged Sparrow <i>Aimophila carpalis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9508	Breeds Jun 15 to Sep 30

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

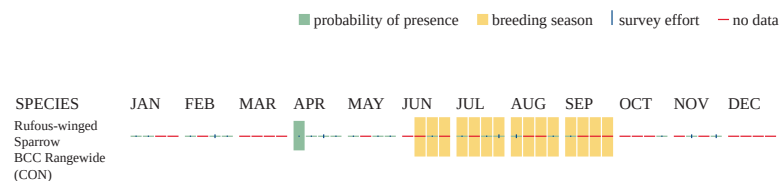
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>

- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER POND

- PUBF

RIVERINE

- R4SBC

IPAC USER CONTACT INFORMATION

Agency: Tierra Right of Way Services, Ltd.

Name: Kelsey Crawford

Address: 1575 E River Rd Ste 201

City: Tucson

State: AZ

Zip: 85718

Email: kcrawford@tierra-row.com

Phone: 8008870847

Arizona Environmental Online Review Tool Report

HGIS-20988



Arizona Game and Fish Department Mission

To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

Project Name:

City of Douglas International Port of Entry Connector Road Study

User Project Number:

22EC00-348.01

Project Description:

The purpose of this project is to provide connectivity from the proposed second international port-of-entry (IPOE) near Douglas to the state highway system. The existing IPOE would remain in place to handle pedestrians, buses, and light vehicles. The project will establish new rights-of-way, install utilities, improve the intersection of SR 80 to accommodate oversize trucks, upgrade or construct a connector road to a heavy multi-lane section. Total approximate length of alternative alignments under consideration is 5.47 miles (by 200 feet wide). A portion of SR 80 is included in the study area, approximately 2.5 miles (by 600 feet wide).

Project Type:

Transportation & Infrastructure, Road construction (including staging areas), Realignment/new roads

Contact Person:

Jennifer Jennings

Organization:

Tierra Right of Way Services, Ltd.

On Behalf Of:

OTHER

Project ID:

Please review the entire report for project type and/or species recommendations for the location information entered. Please retain a copy for future reference.

Disclaimer:

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Departments review of site-specific projects.
3. The Departments Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. Arizona Wildlife Conservation Strategy (AWCS), specifically Species of Greatest Conservation Need (SGCN), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

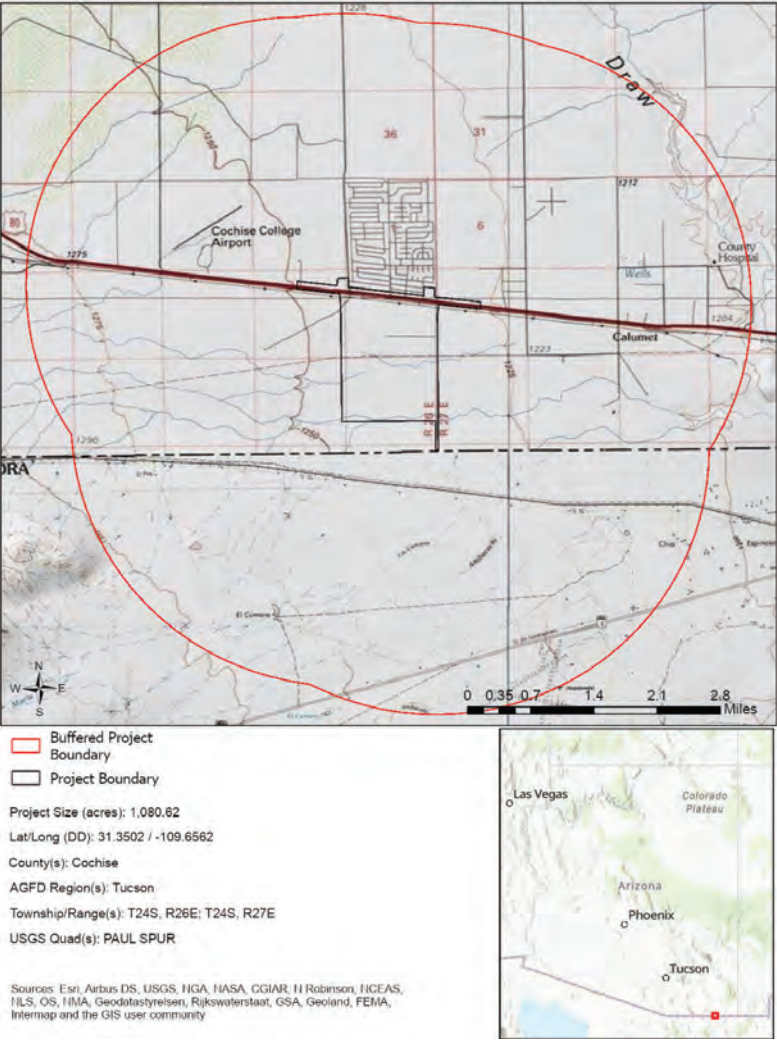
Locations Accuracy Disclaimer:

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

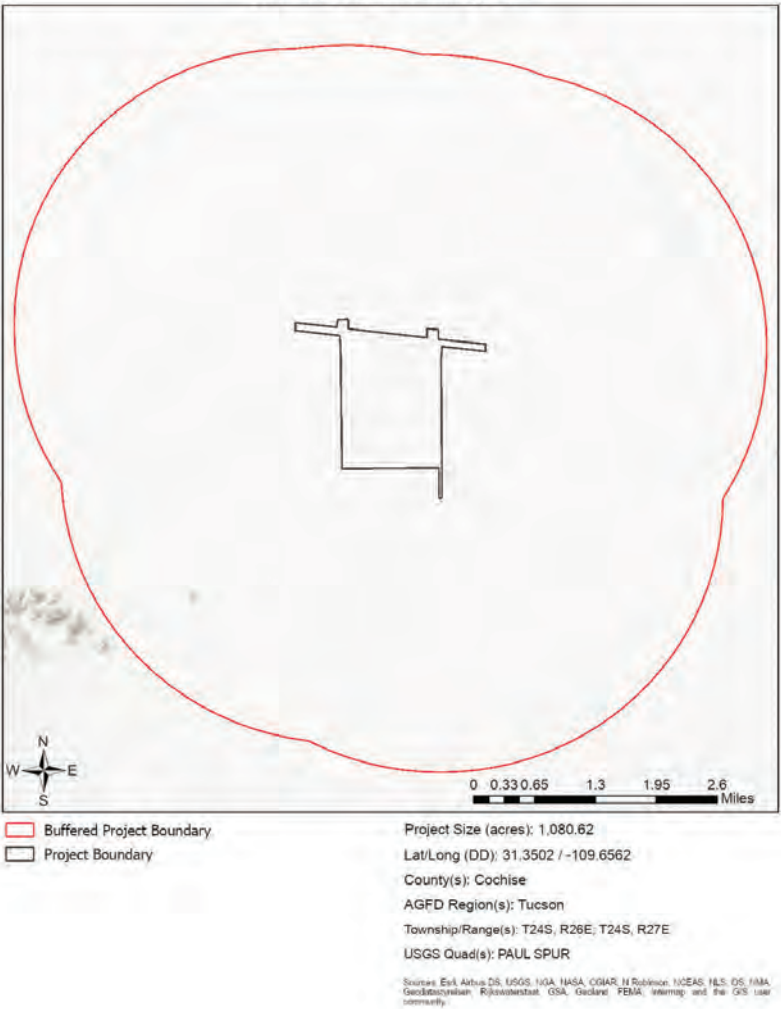
Recommendations Disclaimer:

1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:
Project Evaluation Program, Habitat Branch
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086-5000
Phone Number: (623) 236-7600
Fax Number: (623) 236-7366
Or
PEP@azgfd.gov
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies

City of Douglas International Port of Entry Connector Road Study
USA Topo Basemap With Locator Map



City of Douglas International Port of Entry Connector Road Study
Web Map As Submitted By User





Special Status Species Documented within 3 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Danaus plexippus	Monarch	C		S		
Incilius alvarius	Sonoran Desert Toad					2
Rana chiricahuensis	Chiricahua Leopard Frog	LT				1

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife-conservation/on-the-ground-conservation/state-wildlife-action-plan/state-wildlife-action-plan-status-definitions/>.

No Special Areas Detected

No special areas were detected within the project vicinity.

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Ammodramus savannarum ammodramus	Arizona grasshopper sparrow					
Ammodramus savannarum perpallidus	Western Grasshopper Sparrow					
Anthus spragueii	Sprague's Pipit	SC				2
Aquila chrysaetos	Golden Eagle			S		2
Artemisiospiza nevadensis	Sagebrush Sparrow					
Aspidoscelis sonorae	Sonoran Spotted Whiptail					2
Athene cunicularia hypugaea	Western Burrowing Owl	SC	S	S		2
Auriparus flaviceps	Verdin					2
Buteo regalis	Ferruginous Hawk	SC		S		2
Buteo swainsoni	Swainson's Hawk					2
Buteogallus anthracinus	Common Black Hawk					2
Calcarius ornatus	Chestnut-collared Longspur					2
Callipepla squamata	Scaled Quail					2
Calypte costae	Costa's Hummingbird					2
Camptostoma imberbe	Northern Beardless-Tyrannulet		S			2
Campylorhynchus brunneicapillus	Cactus Wren					2
Catharus ustulatus	Swainson's Thrush					2
Chordeiles minor	Common Nighthawk					2
Coccyzus americanus	Yellow-billed Cuckoo (Western DPS)					
Columba inca	Inca Dove					2
Corvus cryptoleucus	Chihuahuan Raven					2
Corynorhinus townsendii pallescens	Pale Townsend's Big-eared Bat	SC	S	S		1
Cynanthus latirostris	Broad-billed Hummingbird		S			2
Cynomys ludovicianus	Black-tailed Prairie Dog	CCA		S		1
Dendrocygna autumnalis	Black-bellied Whistling-Duck					2
Elgaria kingii	Madrean Alligator Lizard					2

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Empidonax wrightii	Gray Flycatcher					2
Eumops perotis californicus	Greater Western Bonneted Bat					
Falco mexicanus	Prairie Falcon					2
Falco peregrinus anatum	American Peregrine Falcon					
Falco sparverius	American Kestrel					2
Heloderma suspectum	Gila Monster					1
Hypsiglena sp. nov.	Hooded Nightsnake					2
Icterus bullockii	Bullock's Oriole					2
Icterus cucullatus	Hooded Oriole					2
Incilius alvarius	Sonoran Desert Toad					2
Kinosternon flavescens	Yellow Mud Turtle					2
Lanius ludovicianus	Loggerhead Shrike	SC				2
Lasiurus blossevillei	Western Red Bat		S			2
Lasiurus cinereus	Hoary Bat					2
Lasiurus xanthinus	Western Yellow Bat		S			2
Leptonycteris yerbabuenae	Lesser Long-nosed Bat	SC				1
Lithobates chiricahuensis	Chiricahua Leopard Frog	LT				1
Lithobates yavapaiensis	Lowland Leopard Frog	SC	S	S		1
Megascops kennicottii	Western Screech-owl					
Melanerpes uropygialis	Gila Woodpecker					2
Melospiza lincolni	Lincoln's Sparrow					2
Melospiza aberti	Abert's Towhee		S			2
Micrathene whitneyi	Elf Owl					
Myotis auriculus	Southwestern Myotis					2
Myotis thysanodes	Fringed Myotis	SC				2
Myotis velifer	Cave Myotis	SC		S		2
Myotis yumanensis	Yuma Myotis	SC				2
Notiosorex cockrumi	Cockrum's Desert Shrew					2
Nyctinomops femorosaccus	Pocketed Free-tailed Bat					2
Nyctinomops macrotis	Big Free-tailed Bat	SC				2
Parabuteo unicinctus	Harris's Hawk					2
Passerculus sandwichensis	Savannah Sparrow					2
Peucaea botterii arizonae	Arizona Botteri's Sparrow			S		2
Peucaea carpalis	Rufous-winged Sparrow					2
Phrynosoma solare	Regal Horned Lizard					2
Poocetes gramineus	Vesper Sparrow					2
Sistrurus tergeminus	Western Massasauga					
Spizella breweri	Brewer's Sparrow					2
Tadarida brasiliensis	Brazilian Free-tailed Bat					

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Terrapene ornata	Ornate Box Turtle			S		1
Toxostoma bendirei	Bendire's Thrasher					2

Species of Economic and Recreation Importance Predicted that Intersect with Project Footprint as Drawn

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Callipepla gambelii	Gambel's Quail					
Callipepla squamata	Scaled Quail					
Odocoileus hemionus	Mule Deer					
Patagioenas fasciata	Band-tailed Pigeon					
Pecari tajacu	Javelina					
Puma concolor	Mountain Lion					
Zenaidura macroura	White-winged Dove					
Zenaidura macroura	Mourning Dove					

Project Type: Transportation & Infrastructure, Road construction (including staging areas), Realignment/new roads

Project Type Recommendations:

Bridge Maintenance/Construction

Identify whether wildlife species use the structure for roosting or nesting during anticipated maintenance/construction period. Plan the timing of maintenance/construction to minimize impacts to wildlife species. In addition to the species list generated by the Arizona's On-line Environmental Review Tool, the Department recommends that surveys be conducted at the bridge and in the vicinity of the bridge to identify additional or currently undocumented bat, bird, or aquatic species in the project area. To minimize impacts to birds and bats, as well as aquatic species, consider conducting maintenance and construction activities outside the breeding/maternity season (breeding seasons for birds and bats usually occur spring - summer). Examining the crevices for the presence of bats prior to pouring new paving materials or that the top of those crevices be sealed to prevent material from dripping or falling through the cracks and potentially onto bats. If bats are present, maintenance and construction (including paving and milling) activities should be conducted during nighttime hours, if possible, when the fewest number of bats will be roosting. Minimize impacts to the vegetation community. Unavoidable impacts to vegetation should be mitigated on-site whenever possible. A revegetation plan should be developed to replace impacted communities.

Consider design structures and construction plans that minimize impacts to channel geometry (i.e., width/depth ratio, sinuosity, allow overflow channels), to avoid alteration of hydrological function. Consider incorporating roosting sites for bats into bridge designs. During construction, erosion control structures and drainage features should be used to prevent introduction of sediment laden runoff into the waterway. Minimize instream construction activity. If culverts are planned, use wildlife friendly designs to mitigate impacts to wildlife and fish movement. Guidelines for bridge designs to facilitate wildlife passage can be found on our Wildlife Friendly Guidelines web page under the Wildlife Planning button, at <https://www.azgfd.com/wildlife-conservation/planning-for-wildlife/planning-for-wildlife-wildlife-friendly-guidelines/>.

Fence recommendations will be dependent upon the goals of the fence project and the wildlife species expected to be impacted by the project. General guidelines for ensuring wildlife-friendly fences include: barbless wire on the top and bottom with the maximum fence height 42", minimum height for bottom 16". Modifications to this design may be considered for fencing anticipated to be routinely encountered by elk, bighorn sheep or pronghorn (e.g., Pronghorn fencing would require 18" minimum height on the bottom). Please refer to the Department's Fencing Guidelines located on Wildlife Friendly Guidelines page, which is part of the Wildlife Planning button at <https://www.azgfd.com/wildlife-conservation/planning-for-wildlife/planning-for-wildlife-wildlife-friendly-guidelines/>.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife. Guidelines for many of these can be found at: <https://www.azgfd.com/wildlife-conservation/planning-for-wildlife/planning-for-wildlife-wildlife-friendly-guidelines/>.

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.

Minimize the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects and pathogens. Precautions should be taken to wash and/or decontaminate all equipment utilized in the project activities before entering and leaving the site. See the Arizona Department of Agriculture website for a list of prohibited and restricted noxious weeds at <https://www.invasivespeciesinfo.gov/unitedstates/az.shtml> and the Arizona Native Plant Society <https://aznps.com/invas> for recommendations on how to control. To view a list of documented invasive species or to report invasive species in or near your project area visit iMapInvasives - a national cloud-based application for tracking and managing invasive species at <https://imap.natureserve.org/imap/services/page/map.html>.

- To build a list: zoom to your area of interest, use the identify/measure tool to draw a polygon around your area of interest, and select "See What's Here" for a list of reported species. To export the list, you must have an account and be logged in. You can then use the export tool to draw a boundary and export the records in a csv file.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (include spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

Based on the project type entered, coordination with State Historic Preservation Office may be required (<https://azstateparks.com/>).

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herpetofauna (snakes, lizards, tortoise) from entering ditches.

Design culverts to minimize impacts to channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Reduce/minimize barriers to allow movement of amphibians or fish (e.g., eliminate falls). Also for terrestrial wildlife, washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found on the home page of this application at <https://www.azgfd.com/wildlife-conservation/planning-for-wildlife/planning-for-wildlife-wildlife-friendly-guidelines/>.

Based on the project type entered, coordination with Arizona Department of Environmental Quality may be required (<http://www.azdeq.gov/>).

Based on the project type entered, coordination with U.S. Army Corps of Engineers may be required (<http://www.usace.army.mil/>).

Based on the project type entered, coordination with County Flood Control district(s) may be required.

Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly at PEP@azgfd.gov.

Project Location and/or Species Recommendations:

HDMS records indicate that **Chiricahua Leopard Frogs** have been documented within the vicinity of your project area. Please review the Chiricahua Leopard Frog Management Guidelines found at: <https://s3.amazonaws.com/azgfd-portal-wordpress/PortalImages/files/wildlife/planningForWildlifeFriendlyGuidelines/FINALLithchirHabitatGdlns.pdf>

HDMS records indicate that one or more **Listed, Proposed, or Candidate** species or **Critical Habitat** (Designated or Proposed) have been documented in the vicinity of your project. The Endangered Species Act (ESA) gives the US Fish and Wildlife Service (USFWS) regulatory authority over all federally listed species. Please contact USFWS Ecological Services Offices at <https://www.fws.gov/office/arizona-ecological-services> or:

Phoenix Main Office
9828 North 31st Avenue #C3
Phoenix, AZ 85051-2517
Phone: 602-242-0210
Fax: 602-242-2513

Tucson Sub-Office
201 N. Bonita Suite 141
Tucson, AZ 85745
Phone: 520-670-6144
Fax: 520-670-6155

Flagstaff Sub-Office
SW Forest Science Complex
2500 S. Pine Knoll Dr.
Flagstaff, AZ 86001
Phone: 928-556-2157
Fax: 928-556-2121

April 7, 2023

Cheri A. Bouchér
Transportation Project Evaluation Specialist
Arizona Game and Fish Department
WMHB—Project Evaluation Program
5000 West Carefree Highway
Phoenix, Arizona 85086-5000

Submitted by email to pep@azgfd.gov

Subject: ADOT F053401L City of Douglas International POE Connector Road Study
Federal Project No. 999-A(561)T
Agency Scoping Meeting

Dear Ms. Bouchér:

The Arizona Department of Transportation (ADOT), in cooperation with the Federal Highway Administration, City of Douglas, and General Services Administration has initiated a design concept study with an Environmental Assessment for a proposed connector road between State Route 80 (SR 80) and a proposed new commercial port of entry (POE) by the General Services Administration (GSA) near Douglas, Arizona. Approximately 4.5 miles west of the existing Raul Hector Castro POE and the City of Douglas limits (see enclosed map), this study will develop, evaluate, and recommend the location of the connector road, in close coordination with GSA. The project team will prepare a Design Concept Report (DCR) and Environmental Assessment (EA) to evaluate both no-build and build alternatives for improvements on primarily undeveloped commercial and residential property.

Following completion of final design, the scope of work for this project will include:

- Construction of a four-lane divided roadway in the vicinity of James Ranch Road between SR 80 and GSA's new POE on the north side of the Mexican-U.S. border.
- Installation of culverts under the connector road to accommodate stormwater runoff.
- Construction of a new intersection between SR 80 and the connector road.

The construction duration is anticipated to be 16 months following right-of-way acquisition, with completion coinciding with the opening of the new GSA facility. Traffic would be controlled along SR 80 during intersection construction to minimize impacts on motorists, pedestrians, and construction personnel, as needed. No detours are anticipated during construction. Access to adjacent properties would be maintained throughout construction. The acquisition of approximately 100 acres of new right-of-way from adjacent property owners is anticipated. Construction efforts would temporarily elevate noise levels. An unknown quantity of trees and vegetation would be removed during construction depending on the alternative selected.

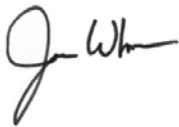
A list of species potentially occurring in the project area was obtained using the Arizona Game and Fish Department (AZGFD) Arizona Environmental Online Review Tool. This project was submitted online for your review on February 8, 2023 and is recorded as Project ID HGIS-18349. If you or others in your agency have specific concerns, suggestions, or recommendations pertaining to this project, please let us

know. This can include information on wildlife movement, habitat issues, or seasonal concerns, to name a few.

If the AZGFD would like to have continued involvement in this project, please include an expression of interest, individual contact information, and a description of specific concerns. If no concerns or requests for future coordination are identified, ADOT will consider its coordination complete for the project.

Please submit your comments or concerns by May 8, 2023, to ADOT c/o Don Smith via email at Don.Smith@stantec.com or by phone at (480) 403-1377. Thank you for your time and assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "J. White".

Justin White
Biology Program Manager

Enclosure

cc: Morgan Ghods, ADOT Environmental Planning
Tazeen Dewan, ADOT Project Management
Robert Lemke, Stantec



**Arizona Department of Transportation
Environmental Planning**

BIOLOGICAL EVALUATION

City of Douglas International Port of Entry Connector Road Study
Federal Project No. 999-A(561)T
ADOT Project No. F0534 01L

Prepared for:	ADOT Approval Signature
Arizona Department of Transportation Environmental Planning 205 South 17th Avenue, MD EM02 Phoenix, Arizona 85007	Justin White Digitally signed by Justin White Date: 2023.07.27 16:05:31 -07'00'

Prepared by:
Tierra Right of Way Services, Ltd.
1575 East River Road, Suite 201
Tucson, Arizona 85718
Tierra Project No. 22EC00-348.01

July 26, 2023
Submittal Number: 2

*This report is the property of ADOT and may contain sensitive biological information.
ADOT approval is required prior to reproduction or distribution.*

EXECUTIVE SUMMARY—BIOLOGICAL EVALUATION

Project Type: The project is a new connector road with a 200-foot-wide right-of-way from the new commercial international border port of entry to State Route 80.

Project Duration and Anticipated Construction Schedule: The Design Concept Report/Environmental Assessment will be completed in December 2024, final design in December 2026, and construction in mid-2028.

Project Location: The project extends from several hundred feet north of State Route 80 between about 0.5 mile east of James Ranch Road and 0.5 mile west of the Brooks Road alignment south to the international border, just west of the city of Douglas, Cochise County, Arizona.

ESA Species and Critical Habitat Analyzed in Detail and Determinations Made: No threatened or endangered species, critical habitat, or candidate species would be affected by this project. See Table 1 for further information.

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DEFINITIONS

action area	all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR § 402.02)
ADOT	Arizona Department of Transportation
AGFD	Arizona Game and Fish Department
AZPDES	Arizona Pollutant Discharge Elimination System
BE	Biological Evaluation
BMP	Best Management Practice
C	candidate
CBP	U.S. Customs and Border Protection
construction footprint	the area where construction-related equipment would operate
CFR	Code of Federal Regulations
dba	A-weighted decibels
ESA	Endangered Species Act
FHWA	Federal Highway Administration
GSA	General Services Administration
IPaC	Information for Planning and Consultation (USFWS)
IPOE	International Port of Entry
LE	listed endangered
LPOE	Land Port of Entry
LT	listed threatened
NEPA	National Environmental Policy Act
OAW	Outstanding Arizona Water
POE	Port of Entry
ROW	right-of-way
SR	State Route
USFWS	U.S. Fish and Wildlife Service
XN	experimental nonessential population

1. Project Overview

1.1 Federal Nexus

The project evaluated in this Biological Evaluation (BE) is funded in part by the Federal Highway Administration (FHWA) and would be constructed by the Arizona Department of Transportation (ADOT). The project may require a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers. Additional cooperating agencies include the U.S. General Services Administration, the Arizona State Land Department, Cochise County, and the City of Douglas.

1.2 Project Description

The project would construct a new 200-foot-wide four-lane road to accommodate international commercial travel from the new Port of Entry (POE) to State Route (SR) 80 in all weather conditions.

ADOT is evaluating alternatives for a new all-weather connector road from the new Douglas International Port of Entry (IPOE) to SR 80. The 200-foot-wide connector road would be sited to safely accommodate exclusively commercial truck traffic and to provide connectivity from the new commercial POE near Douglas to the Arizona State Highway System. The new IPOE would be about 4.5 miles west of the existing Castro Land Port of Entry (LPOE) that provides international noncommercial and commercial access on an 80-acre site at the intersection of James Ranch Road and the international border. The new port would process only commercial traffic for the binational region. Once construction of the Douglas IPOE has been completed, all commercial operations would move from the Castro LPOE to the new IPOE facility. ADOT has identified three alternative routes. This BE analyzes impacts on protected species for all three routes.

1.3 Project Location

The project is about 4.5 miles west of the city of Douglas in Cochise County, Arizona, generally including and south of SR 80 to the international border. Land ownership in the project area includes the Bureau of Land Management (BLM), International Boundary Waters Commission (IBWC), ADOT right-of-way (ROW), and private parcels (Figure 1).

ADOT requirements for the alternative selection process include methods and technologies to ensure a comprehensive investigation of proposed alignments. The requirements state that the process should analyze all reasonable alternatives, support the iterative nature of the National Environmental Policy Act (NEPA) process, provide a summary of the investigation and selection process, and determine the optimal alignment alternatives subject to the project constraints, including environmental, engineering, social, and economic evaluations. The proposed alternatives are consistent with the stated requirements. The proposed alternative alignments are identified in Figure 2.

No Build Alternative

The No Build alternative is required as part of the NEPA process. The No Build alternative assumes that the existing roadway configuration would be maintained, meaning that the proposed IPOE would have no connectivity to the existing roadway system in the area. Because the creation of the IPOE is dependent on a roadway that could handle a heavy percentage of commercial truck traffic, including oversized vehicles, it would effectively result in the proposed General Services Administration (GSA) port to not be built. This would mean the current configuration at the existing (Raul Hector Castro) Douglas IPOE would remain in place (Figure 3).

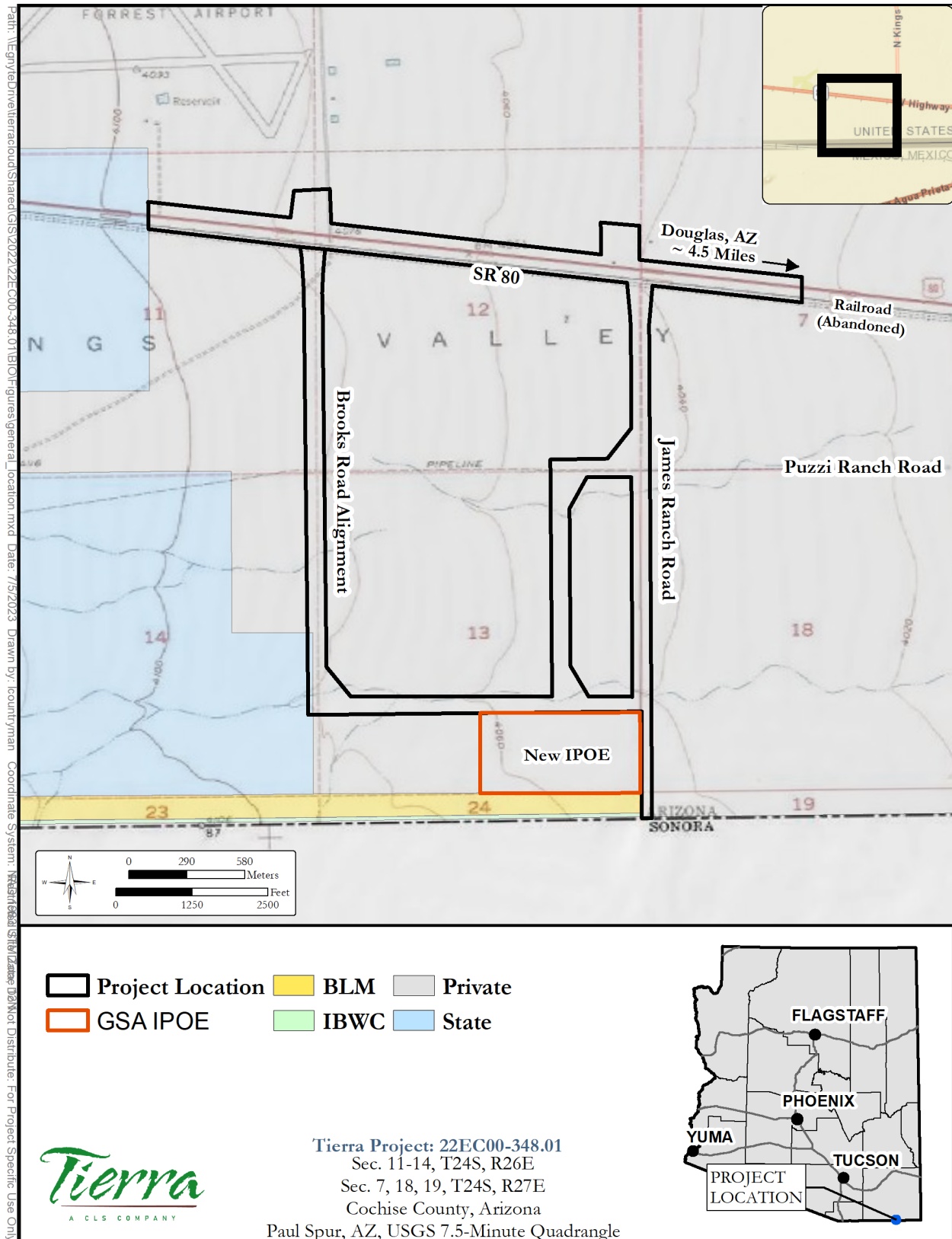


Figure 1. Project location.

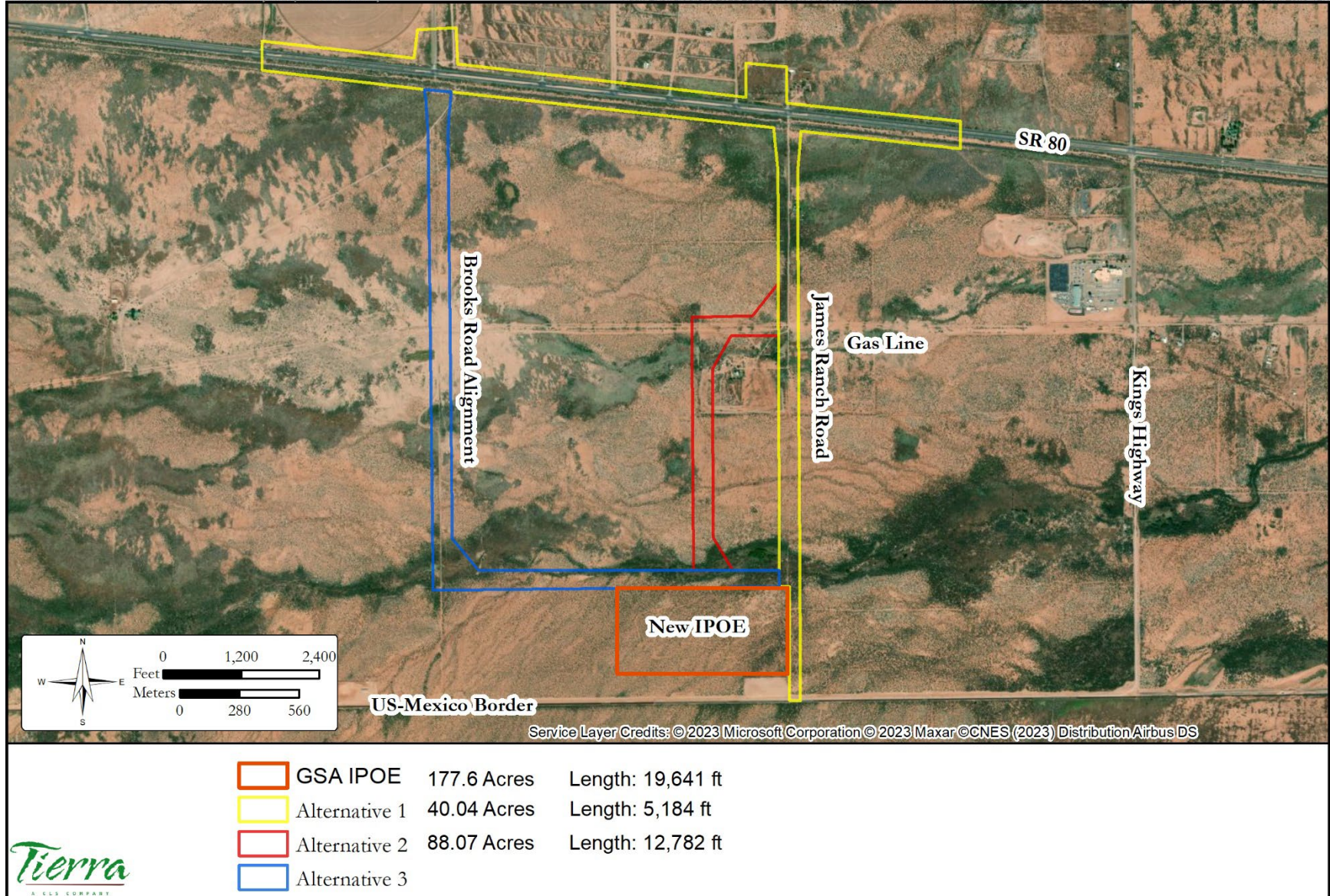


Figure 2. Project detail.



Alternative 1

Alternative 1 consists of constructing a new at-grade roadway along James Ranch Road. This alignment would provide a straight connection from SR 80 to the proposed IPOE. A traffic study is being conducted to determine the appropriate traffic control at the intersection of SR 80 and James Ranch Road, both for the proposed opening of the GSA IPOE and future 2040 conditions. This alignment would cross three washes. A drainage study is being conducted to determine the appropriate culverts or drainage structures to accommodate the washes at the roadway crossings. An entrance/exit into the GSA IPOE would be provided near the eastern end of its 80-acre parcel.

Alternative 2

Alternative 2 consists of constructing a new at-grade roadway from SR 80 along James Ranch Road for approximately 0.5 mile and then would turn west on Puzzi Ranch Road. Approximately 0.25 mile from James Ranch Road, the roadway will turn south and follow the 0.25-mile alignment to the new IPOE. Similar to the first alternative, it is anticipated that this roadway alignment would cross three existing washes and an entrance/exit into the GSA IPOE would be provided near the center of its 80-acre parcel. Proposed drainage structures and traffic control will be further evaluated for this alternative and the results will be summarized in the Design Concept Report and used in the preliminary design plans.

Alternative 3

Alternative 3 consists of constructing a new at-grade roadway along the Brooks Road alignment and over three washes from the new IPOE to SR 80. Signals would be provided at the intersection with SR 80. An entrance/exit into the GSA IPOE would be provided along the western end of its 80-acre parcel.

2. Federally Proposed and Listed Species and Designated Critical Habitat

The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) system was accessed on May 24, 2023 (Project Code: 2023-0043299) by Bruce Pavlick, senior biologist, Tierra Right of Way Services, Ltd., to identify the species protected by the Endangered Species Act (ESA) for evaluation of project-related impacts (see Appendix C).

The USFWS IPaC system and the Arizona Game and Fish Department (AGFD) Arizona Environmental Online Review Tool Report (see Appendix C) were reviewed for the presence of critical habitat within the action area. Neither source identified critical habitat in the project area.

The species included in the IPaC official species list with the potential to occur within the action area are summarized in Table 1. None of the species in Table 1 is evaluated in detail. The project and related erosion and sediment control measures would have no effect on these species excluded from further evaluation and would have no effect on any designated or proposed critical habitats.

Table 1. Project species list (no critical habitat present); species excluded from further evaluation with a no effect determination.

Species	Status	Habitat Requirements	Exclusion Justification
Mammals			
Jaguar (<i>Panther onca</i>)	ESA LE	Jaguars in Arizona generally prey on large mammals, such as javelina and deer, and may occur in a variety of habitats from desertscrub up through conifer forests from 1,600 to 9,000 feet elevation. However, all recent sightings have been in montane situations. Since 1996, only six or seven individuals were documented in the United States—in the Atascosa, Baboquivari, Chiricahua, Dos Cabezas, Huachuca, Peloncillo, Santa Rita, and Whetstone Mountains in Cochise, Pima, and Santa Cruz Counties (AGFD 2020).	Unlikely to occur in the project area. Jaguar is rare in Arizona. No females have been seen in Arizona since 1963 and no cubs since 1910. The most recent sightings of transient males have been in forested habitats in the Huachuca and Santa Rita Mountains. The project vicinity does not have forest habitat. Local movement to and from Mexico is precluded by the border wall.
Birds			
Northern aplomado falcon (<i>Falco femoralis septentrionalis</i>)	ESA XN	Aplomado falcons in the southwestern United States feed chiefly on birds but also on insects and other small vertebrates. They inhabit yucca and honey mesquite grasslands and adjacent riparian woodlands from 3,300 to 4,900 feet elevation. The falcon is extirpated from Arizona, with the last sighting in 1977, but no records have been substantiated since 1940. Captive-bred falcons were reintroduced in west Texas and southern New Mexico from 2002 to 2011 (AGFD 2022a).	Unlikely to occur in the project area. No aplomado falcons have been seen in Arizona since 1977. While the nonessential population covers all of Arizona, reintroduction efforts have been limited to Texas and New Mexico (<i>Federal Register</i> 71[143]: 42298–42315).

Species	Status	Habitat Requirements	Exclusion Justification
Yellow-billed cuckoo (<i>Coccyzus americanus</i>)	ESA LT	Yellow-billed cuckoos primarily eat large insects but also feed on small vertebrates. This bird is a riparian obligate that uses large, contiguous patches of multilayered riparian habitat such as cottonwood-willow gallery forests along rivers and streams from 3,564 to 5,480 feet elevation. Intermittent and ephemeral streams and adjacent uplands are also important components of nesting and foraging habitat (AGFD 2022b).	Unlikely to occur in the project area. No suitable riparian habitat.
Reptiles			
Northern Mexican garter snake (<i>Thamnophis eques megalops</i>)	ESA LT	This garter snake is an aquatic/riparian obligate and mostly feeds on native fish and ranid frogs. Habitats in Arizona include dense vegetation around ponds and cienegas, lowland riparian forests and woodlands, and higher-elevation riparian gallery forests from 3,000 to 8,000 feet elevation (AGFD 2012).	Unlikely to occur in the project area. No suitable aquatic habitat.
Amphibians			
Chiricahua leopard frog (<i>Lithobates chiricahuensis</i>)	ESA LT	This ranid is an aquatic obligate that feeds on invertebrates as adults, and larvae are herbivorous. They are currently restricted to springs, and streams free from non-native predators from 3,281 to 8,890 feet elevation (AGFD 2023a).	Unlikely to occur in the project area. No suitable aquatic habitat.

Species	Status	Habitat Requirements	Exclusion Justification
Fishes			
Yaqui catfish (<i>Ictalurus pricei</i>)	ESA LT	This catfish feeds on aquatic invertebrates, fish, and organic debris. It occurs in the deeper water of ponds and streams during the daytime and moves to shallower riffles and runs to feed at night from 4,000 to 5,000 feet elevation. This species was extirpated from the United States in 1973 and was reintroduced in the San Bernardino National Wildlife Refuge in 1997 (AGFD 2023b).	Unlikely to occur in the project area. No suitable aquatic habitat.
Yaqui chub (<i>Gila purpurea</i>)	ESA LE	Yaqui chub chiefly eats algae and invertebrates and occurs in spring systems, creeks, and ponds with emergent vegetation from 3,730 to 5,840 feet elevation (AGFD 2023c).	Unlikely to occur in the project area. No suitable aquatic habitat.
Insects			
Monarch butterfly (<i>Danaus plexippus</i>)	ESA C	Monarchs are nectar feeders that prefer <i>Asclepias</i> species (milkweed) as host plants. They migrate through Arizona from October to April, where they are found from the low deserts to higher elevations. Other food plants include species from the genera <i>Zinnia</i> and <i>Baccharis</i> (Bailowitz and Brock 1991).	Unlikely to reproduce in the project area. No habitat with suitable host plants.
Plants			
Wright's marsh thistle (<i>Cirsium wrightii</i>)	ESA LT	This herbaceous biennial is a wetland obligate that grows on wet, alkaline soils on the margins of spring seeps, cienegas, streams, and ponds in semiarid and arid situations from 3,450 to 8,500 feet elevation. Flowering occurs March through August. It is extirpated from Arizona, and the current distribution is limited to New Mexico (AGFD 2023d).	Unlikely to occur in the project area. No suitable aquatic habitat.

Status Definitions: C = Candidate; ESA = Endangered Species Act; LE = Listed Endangered; LT = Listed Threatened; XN = Experimental Nonessential Population.

3. Environmental Baseline

The environmental baseline represents the current biological and physical conditions of the action area (defined in Section 5).

Review of historical imagery on Google Earth indicates little land clearing in the action area from December 30, 1985, to April 13, 2023. Notable exceptions include the recently constructed section of the border wall and the new IPOE.

This baseline describes the current conditions and reflects the following past and present impacts of all known Federal, State, or private activities, all proposed Federal projects that have already undergone Section 7 consultation, and known State or private actions that are contemporaneous with the consultation in process.

These chiefly include:

- An existing border wall and associated scrap metal pile built between April and August 2020
- An existing U.S. Customs and Border Protection (CBP) station built somewhere between October 7, 1996, and August 19, 2003, and located east of James Ranch Road and south of SR 80 on Kings Highway
- The existing SR 80 ROW dedicated before December 1985
- The existing natural gas pipeline built before December 1985 (Figure 4)
- A recently platted subdivision north of SR 80 (see Figure 4)
- Private ranching operations that have continued since before December 1985 (see Figure 4)
- Cropland before December 1985 (see Figure 4)
- Areas in Mexico before December 1985

Site visits were conducted April 10–12, 2023. The project includes a 2-mile section of SR 80. The ROW was recently mowed. Few existing structures are south of SR 80 and include Wilbourne Ranch, the CBP station, and a residence. The action area is in a rural setting. Land use north of SR 80 includes the University of Arizona Douglas campus, the landing strip, crop fields, a platted residential subdivision, and open space. Land use south of SR 80 includes the CBP station, two residences, a natural gas line, and cattle ranching.

No surface water was seen during the site visit, but a few dry stock tanks and patches of floodplain exist (Figure 5). The floodplains mostly contain Siberian elm (*Ulmus pumila*), velvet mesquite (*Prosopis velutina*), whitethorn acacia (*Vachellia constricta*), and catclaw acacia (*Senegalia greggii*) over Johnsongrass (*Sorghum halepense*) and muhly grasses (*Muhlenbergia* spp.). The project area is fairly flat, and water runs off in sheet flow from west to east. Elevations range from about 4,104 feet at the west end of SR 80 to 4,032 feet at the east end of SR 80.

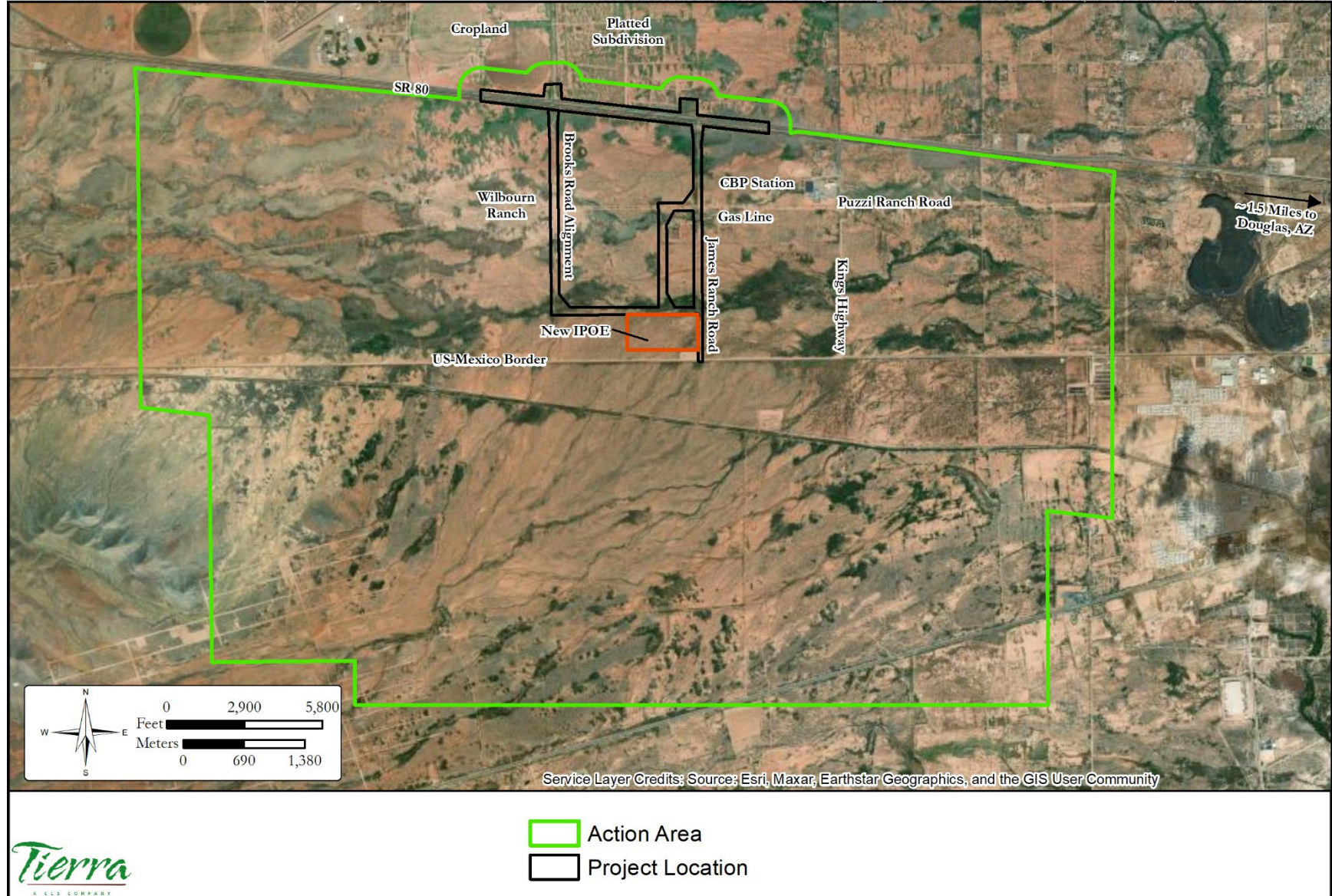


Figure 4. Action area.

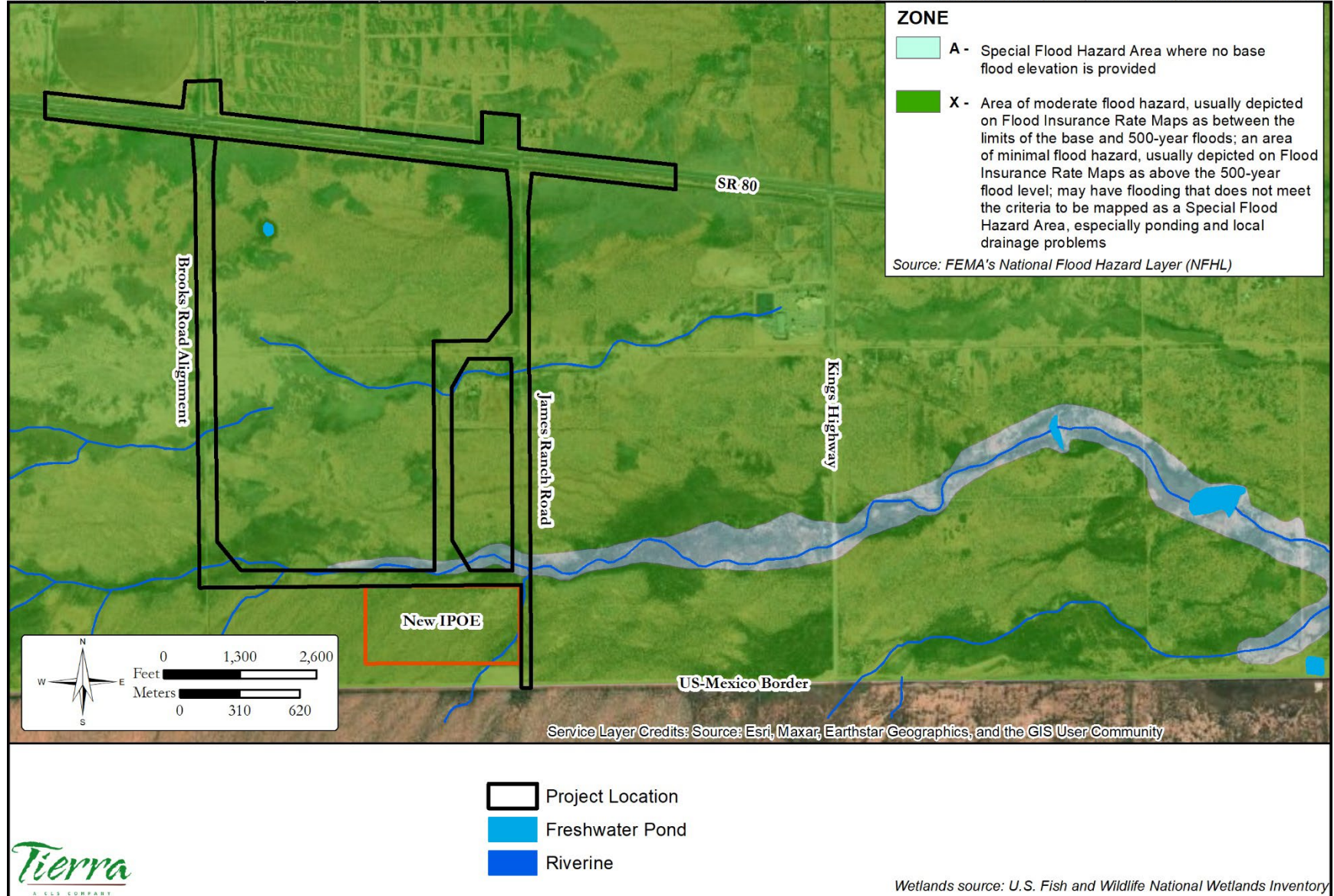


Figure 5. Federal Emergency Management Agency flood zones and water resources.

The action area contains disclimax Chihuahua desertscrub communities (Brown 1994) modified from historic heavy grazing. Natural areas are not diverse. Whitethorn acacia and creosote bush (*Larrea tridentata*) are ubiquitous. Less common plants in the uplands include catclaw acacia, desert broom (*Baccharis sarothroides*), Anderson's wolfberry (*Lycium andersonii*), broom snakeweed (*Gutierrezia sarothrae*), silverleaf nightshade (*Solanum elaeagnifolium*), soaptree yucca (*Yucca elata*), sotol (*Dasylirion wrightii*), staghorn cholla (*Cylindropuntia versicolor*), dwarf desertpeony (*Acourtia nana*), desert unicorn-plant (*Proboscidea althaeifolia*), James' galleta (*Pleuraphis jamesii*), tobosa grass (*Pleuraphis mutica*), and low woollygrass (*Dasyochloa pulchella*). Soils are chiefly gravelly sandy loams.

Wildlife seen during the field visit included black-tailed jackrabbit (*Lepus californicus*), javelina (*Tayassu tajacu*), turkey vulture (*Cathartes aura*), red-tailed hawk (*Buteo jamaicensis*), mourning dove (*Zenaida macroura*), curve-billed thrasher (*Toxostoma curvirostre*), and northern mockingbird (*Mimus polyglottos*). Wildlife sign observed included coyote (*Canis latrans*) scat, mule deer (*Odocoileus hemionus*) scat, cactus wren (*Campylorhynchus brunneicapillus*) nests, and a verdin (*Auriparus flaviceps*) nest.

4. Scope of Work

4.1 Construction

The project team is preparing a Design Concept Report and an Environmental Assessment to evaluate no-build and build alternatives for improvements on primarily undeveloped commercial and residential property. After the final design is complete, the scope of work for this project would include:

- Constructing a four-lane divided roadway in the vicinity of James Ranch Road between SR 80 and the new POE on the north side of the U.S.–Mexico border
- Installing culverts under the connector road to accommodate stormwater runoff
- Constructing a new intersection between SR 80 and the connector road

Construction is expected to last 16 months following ROW acquisition, with completion coinciding with the opening of the new IPOE. Traffic would be controlled along SR 80 during intersection construction to minimize impacts on motorists, pedestrians, and construction personnel, as needed. No detours are anticipated during construction. Access to adjacent properties would be maintained throughout construction. The acquisition of approximately 100 acres of new ROW from adjacent property owners is anticipated. Construction efforts would temporarily elevate noise levels. An unknown quantity of trees and vegetation would be removed during construction, depending on the alternative selected. Specific details related to construction timing and sequencing are not yet known nor are specific permanent versus temporary disturbance quantities. A general assumption is that standard large equipment typically used for new roadway construction would be used during construction (e.g., bulldozers, graders, dump trucks, concrete trucks, paving equipment).

4.2 Potential Impacts on Water Quality and Clean Water Act Compliance

The project would incorporate stormwater pollution prevention practices per Section 104.09 (Prevention of Stormwater Pollution) in ADOT's Standard Specifications for Road and Bridge Construction. Because the project would result in disturbance of 1 or more acres of land, a stored specification requiring a Stormwater Pollution Prevention Plan and an Arizona Pollutant Discharge Elimination System (AZPDES) permit would be included in the contract.

It is undetermined whether the project would involve disturbance to jurisdictional Waters of the United States as regulated by the U.S. Army Corps of Engineers. An Approved Jurisdictional Delineation would be completed prior to construction following the most current guidance from the U.S. Environmental Protection Agency and

the U.S. Army Corps of Engineers. The extent of Clean Water Act Section 404 permitting would be determined at that time.

The construction footprint is not within 1 mile upstream or 0.5 mile downstream of an impaired, not-attaining, or Outstanding Arizona Water (OAW) or on a tributary to an impaired water or OAW and within 1 mile of the impaired water or OAW (Arizona Department of Environmental Quality 2023).

5. Project Action Area

The action area includes all areas to be affected directly or indirectly by the action and may not merely be the construction footprint (50 CFR § 402.02).

The direct impacts from this project would likely be limited to habitat loss and fragmentation, and the possible take of bird's nests and burrowing wildlife within the construction footprint. Lesser effects include vibration, fugitive dust, noise, sedimentation, and lighting that may cause some wildlife species to avoid the action area during construction. Interdependent and interrelated effects are identical and cumulative to those, and include effects from, building a new POE at the international border and construction of a new roadway in Mexico to process commercial traffic through the new IPOE.

5.1 Direct Effects

Construction of a new roadbed in any of the alternatives would remove habitat for general wildlife and may harm or kill burrowing wildlife. No species with Federal status are expected to be affected by the project. Habitat fragmentation and modification resulting from Alternatives 1, 2, and 3 are not expected to affect any Federally listed species.

5.2 Indirect Effects

These effects may cause some wildlife species to avoid the area during construction. Indirect impacts are expected to include noise and vibration from heavy construction equipment, sedimentation, fugitive dust, and possibly lighting. Indirect effects should not impact threatened and endangered species because none are expected to occur in the project area.

Lighting

It is currently unknown whether nighttime construction would occur. If lighting is used at night, lights would be shielded and directed at the work site and used only where necessary.

Fugitive Dust

Dust would be controlled with Best Management Practices approved by ADOT and Cochise County. The Cochise County Land Clearing Ordinance (No. 00-030; approved July 17, 2000) requires dust control during clearing and until the site is revegetated or otherwise stabilized. The impacts of dust are expected to be much smaller than the area affected by construction noise.

Vibration

No blasting is anticipated for this project. Vibration from construction equipment is expected to dissipate to levels not humanly perceptible at 400 feet from the source (Federal Railroad Administration 2012), well within the effects of construction noise.

Sedimentation

There are no perennial surface waters within the construction footprint. Construction activities would involve work within the 100-year floodplain and possibly in potential Waters of the United States, should they be determined to exist, that may have temporary minor effects on downstream water resources. These activities would be mitigated by conservation measures built into the construction plans for this project that would minimize potential impacts. Consequently, no impacts are anticipated from debris falling into surface waters because there are no surface waters present.

The project would require an AZPDES Construction General Permit. The Best Management Practices (BMPs) associated with the permit are expected to fully offset the effects of sedimentation into downstream water resources, should surface flows from a localized storm event be present, if they are maintained until the construction footprint is stabilized. It is estimated that any temporary failure of the BMPs may allow sediment carry as far 100 feet from the construction footprint, should surface flows be present, that could contribute to turbidity of downstream water resources.

Noise

Blasting during construction is not anticipated. There are two ambient noise levels within the project area, both of which vary in space and time. The north part of the project includes SR 80, a principal arterial that emits an average of about 67 A-weighted decibels (dBA) and grades into a rural ranching area with an average ambient level of about 40 to 42 dBA. Kings Highway, just north of SR 80, is a minor collector. The project would emit noise from construction equipment. The maximum average is about 85 dBA (ADOT 2015; FHWA 2006). The distances of attenuation to ambient levels were estimated to define the action area. Noise attenuation follows the inverse square law, with a reduction of 6 decibels of sound pressure with each doubling of distance from the source. These distances include an 800-foot buffer around SR 80 and a 12,800-foot buffer in the remaining area south of SR 80 (see Figure 4). Construction noise may affect wildlife in the area but is not expected to affect threatened or endangered species.

6. Determination of Effects to Listed Species

No suitable habitat for any listed species is in the action area. Therefore, the project would have no effect on the following threatened and endangered species or their habitat:

- Jaguar (*Panthera onca*)
- Northern aplomado falcon (*Falco femoralis septentrionalis*)
- Yellow-billed cuckoo (*Coccyzus americanus*)
- Chiricahua leopard frog (*Lithobates chiricahuensis*)
- Yaqui catfish (*Ictalurus pricei*)
- Yaqui chub (*Gila purpurea*)
- Wright's marsh thistle (*Cirsium wrightii*)

No critical habitat is in the action area. Therefore, the project would have no effect on designated critical habitat for the following threatened and endangered species:

- Jaguar (*Panthera onca*)
- Yellow-billed cuckoo (*Coccyzus americanus*)
- Chiricahua leopard frog (*Lithobates chiricahuensis*)

- Yaqui catfish (*Ictalurus pricei*)
- Yaqui chub (*Gila purpurea*)
- Wright's marsh thistle (*Cirsium wrightii*)

The project would have no impact on the monarch butterfly (*Danaus plexippus*).

7. Environmental Commitments

The following environmental commitments are for species discussed only in Appendix B.

Roadside Development Section Requirements

- The Arizona Department of Transportation Roadside Development Section would provide special provisions for the control of noxious and invasive plant species during construction that may require treatment and control within the project limits.
- Protected native plants within the project limits would be impacted by this project; therefore, the Arizona Department of Transportation Roadside Development Section would determine if Arizona Department of Agriculture notification is needed. If notification is needed, the Arizona Department of Transportation Roadside Development Section would send the notification at least 60 (sixty) calendar days prior to the start of construction.

Southeast District Responsibility

- If clearing, grubbing, or tree/limb removal will take place during the breeding season (March 1 to August 31), the Engineer will contact Arizona Department of Transportation Environmental Planning to arrange for a qualified biologist to conduct active nest surveys of vegetation 10 (ten) days prior to removal. During the non-breeding season (September 1 to February 28), clearing, grubbing, or tree/limb removal may proceed without restriction.

Contractor Requirements

- The contractor shall not conduct any clearing, grubbing, or tree/limb removal from March 1 to August 31 unless a qualified biologist approved by Arizona Department of Transportation Environmental Planning has conducted a bird nest search of the affected vegetation and has determined that no active bird nests are present. Vegetation removal may occur if the area has been surveyed within 10 (ten) days prior to removal as long as only inactive bird nests, if any, are present.
- The contractor shall develop a Noxious and Invasive Plant Species Treatment and Control Plan in accordance with the requirements in the contract documents. Plants to be controlled shall include those listed in the State and Federal noxious weed and the State invasive species lists in accordance with State and Federal laws and executive orders. The plan and associated treatments shall include all areas within the project right-of-way and easements as shown on the project plans. The treatment and control plan shall be submitted to the Engineer for the Arizona Department of Transportation Construction Professional Landscape Architect for review and approval prior to implementation by the contractor.
- Prior to the start of ground-disturbing activities and throughout the duration of construction and any landscape establishment period, the contractor shall arrange for and perform the control of noxious and invasive species in the project area.
- To prevent the introduction of invasive species seeds, all earthmoving and hauling equipment shall be washed prior to entering the construction site and the contractor shall inspect all construction equipment and remove all attached debris, including plant parts, soil, and mud, prior to the equipment entering the construction site.

- To prevent invasive species seeds from leaving the site, the contractor shall inspect all construction and hauling equipment and remove all debris, including plant parts, soil, and mud, prior to leaving the construction site.

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9. Signatures

Prepared by:  Date: 07/26/2023
Name: Bruce Pavlick
Title: Senior Biologist
Firm Name: Tierra Right of Way Services, Ltd.

Reviewed by:  Date: 07/26/2023
Name: Thomas C. Ashbeck
Title: Director, Environmental Planning and
Resources
Firm Name: Tierra Right of Way Services, Ltd.

APPENDIX A
PHOTOS



Photo A-1. East view from westbound SR 80 at the north end of Alternative 1.



Photo A-2. East view from southwest corner of Alternative 3.



Photo A-3. North view of James Ranch Road from the international border, Alternative 1.



Photo A-4. West view from westbound SR 80 at the east side of Alternative 1.



Photo A-5. East view of gas line from the northwest corner of Alternative 2.

APPENDIX B

OTHER SPECIAL STATUS SPECIES

I. MIGRATORY BIRD TREATY ACT

Three possibly active nests were observed during the site visit in the Alternative 3 area. They include two cactus wren (*Campylorhynchus brunneicapillus*) nests and a verdin (*Auriparus flaviceps*) nest. The following environmental commitment would ensure compliance with the Migratory Bird Treaty Act.

Southeast District Responsibility

- If clearing, grubbing, or tree/limb removal will take place during the breeding season (March 1 to August 31), the Engineer will contact Arizona Department of Transportation Environmental Planning to arrange for a qualified biologist to conduct active nest surveys of vegetation 10 (ten) days prior to removal. During the non-breeding season (September 1 to February 28), clearing, grubbing, or tree/limb removal may proceed without restriction.

Contractor Responsibility

- The contractor shall not conduct any clearing, grubbing, or tree/limb removal from March 1 to August 31 unless a qualified biologist approved by Arizona Department of Transportation Environmental Planning has conducted a bird nest search of the affected vegetation and has determined that no active bird nests are present. Vegetation removal may occur if the area has been surveyed within 10 (ten) days prior to removal as long as only inactive bird nests, if any, are present.

II. BALD AND GOLDEN EAGLE PROTECTION ACT

The construction footprint and surrounding ROW was evaluated by Bruce Pavlick. It is not located in the range or suitable habitat for bald and/or golden eagles. The project would not disturb or result in take of bald or golden eagles.

III. FISH AND WILDLIFE COORDINATION ACT

This project is a Federal action but it would not impound, divert, deepen the channel, or otherwise control or modify any stream or other body of water. The Fish and Wildlife Coordination Act does not apply.

IV. NOXIOUS AND INVASIVE PLANT SPECIES

The construction footprint and surrounding ROW were surveyed for the presence of noxious and invasive plants on April 10–12, 2023, by windshield and pedestrian survey. No noxious and/or invasive plants were reported within the construction footprint and surrounding ROW. Regardless, a Noxious Species Control Plan would be required for the project to prevent the spread of noxious and/or invasive plants into the construction footprint. The following environmental commitments would help minimize the spread of invasive and noxious plants.

Roadside Development Section Requirement

- The Arizona Department of Transportation Roadside Development Section would provide special provisions for the control of noxious and invasive plant species during construction that may require treatment and control within the project limits.

Contractor Requirements

- The contractor shall develop a Noxious and Invasive Plant Species Treatment and Control Plan in accordance with the requirements in the contract documents. Plants to be controlled shall include those listed in the State and Federal noxious weed and the State invasive species lists in accordance with State and Federal laws and

executive orders. The plan and associated treatments shall include all areas within the project right-of-way and easements as shown on the project plans. The treatment and control plan shall be submitted to the Engineer for the Arizona Department of Transportation Construction Professional Landscape Architect for review and approval prior to implementation by the contractor.

- Prior to the start of ground-disturbing activities and throughout the duration of construction and any landscape establishment period, the contractor shall arrange for and perform the control of noxious and invasive species in the project area.
- To prevent the introduction of invasive species seeds, all earthmoving and hauling equipment shall be washed prior to entering the construction site and the contractor shall inspect all construction equipment and remove all attached debris, including plant parts, soil, and mud, prior to the equipment entering the construction site.
- To prevent invasive species seeds from leaving the site, the contractor shall inspect all construction and hauling equipment and remove all debris, including plant parts, soil, and mud, prior to leaving the construction site.

V. OTHER FEDERAL SENSITIVE SPECIES

Not applicable.

VI. STATE SENSITIVE SPECIES

The AGFD Arizona Environmental Online Review Tool was accessed on May 24, 2023 (HGIS-18349) to determine whether special status species have been reported to occur in the area surrounding the project. As part of the environmental review process, a letter describing the project was sent to the AGFD to inform it of the project and to solicit comments. The letter requested any specific concerns, suggestions, or recommendations the agency may have related to the project. The AGFD did not send a response letter. No accommodations are necessary for sensitive species.

VII. PROTECTED NATIVE PLANTS

The construction footprint and surrounding ROW was surveyed from the vehicle windshield and on foot for the presence of protected native plants on April 10–12, 2023. No species protected under the ESA were seen during fieldwork. Plants protected by the State of Arizona found within the construction footprint are included in Table B-2.

Table B-2. Protected plants seen within the construction footprint.

Plant Form	Species Name	Status
Trees	Velvet mesquite	Salvage Assessed
	<i>Prosopis velutina</i>	Harvest Restricted
Succulents	Sotol	Salvage Restricted
	<i>Dasyllirion wrightii</i>	
	Soaptree yucca	Salvage Restricted
	<i>Yucca elata</i>	
Cacti	Staghorn cholla	Salvage Restricted
	<i>Cylindropuntia versicolor</i>	

Note: Nomenclature follows U.S. Department of Agriculture plants database (<https://plants.usda.gov/>).

The following environmental commitment would ensure compliance with the Arizona Native Plant Law.

ADOT Roadside Development Requirement

- Protected native plants within the project limits would be impacted by this project; therefore, the Arizona Department of Transportation Roadside Development Section would determine if Arizona Department of Agriculture notification is needed. If notification is needed, the Arizona Department of Transportation Roadside Development Section would send the notification at least 60 (sixty) calendar days prior to the start of construction.

VIII. WILDLIFE CONNECTIVITY

ADOT, the AGFD, the FHWA, and representatives from other agencies have completed a Wildlife Linkages Assessment to address important wildlife movement corridors in Arizona. The AGFD Arizona Environmental Online Review Tool included a standard response regarding local or regional needs of wildlife movement, connectivity, access to habitat needs, and design of various roadway features such as culverts and bridges.

The project is not located within the Potential Linkage Zones identified in the *Arizona Wildlife Linkages Assessment* (Arizona Wildlife Linkage Workgroup 2006).

APPENDIX C

AGENCY COORDINATION

The USFWS IPaC system and the AGFD Arizona Environmental Online Review Tool were used to identify special status species that may occur in the area surrounding the project. The IPaC and AGFD Arizona Environmental Online Review Tool results are included in this appendix. Field studies concluded that no special status species would be affected by this project. As part of the environmental review process, a letter describing the project was sent to the AGFD (Cheri Bouch r, Transportation Project Evaluation Specialist, Arizona Game and Fish Department, WMHB–Project Evaluation Program, 5000 West Carefree Highway, Phoenix, Arizona 85086-5000) on April 7, 2023, to inform the agency of the project and to solicit comments (letter included in this appendix). The AGFD did not respond.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Arizona Ecological Services Field Office
9828 North 31st Ave
#c3
Phoenix, AZ 85051-2517
Phone: (602) 242-0210 Fax: (602) 242-2513



In Reply Refer To:
Project Code: 2023-0043299
Project Name: CBP Douglas POE

May 24, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The Fish and Wildlife Service (Service) is providing this list under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). The list you have generated identifies threatened, endangered, proposed, and candidate species, and designated and proposed critical habitat, that *may* occur within the One-Range that has been delineated for the species (candidate, proposed, or listed) and its critical habitat (designated or proposed) with which your project polygon intersects. These range delineations are based on biological metrics, and do not necessarily represent exactly where the species is located. Please refer to the species information found on ECOS to determine if suitable habitat for the species on your list occurs in your project area.

The purpose of the Act is to provide a means whereby threatened and endangered species and the habitats upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of Federal trust resources and to determine whether projects may affect federally listed species and/or designated critical habitat. A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12. If the Federal action agency determines that listed species or critical habitat *may be affected* by a federally funded, permitted or authorized activity, the agency must consult with us pursuant to 50 CFR 402. Note that a "may affect" determination includes effects that may not be adverse and that may be beneficial, insignificant, or discountable. An effect exists even if only one individual

or habitat segment may be affected. The effects analysis should include the entire action area, which often extends well outside the project boundary or "footprint." For example, projects that involve streams and river systems should consider downstream affects. If the Federal action agency determines that the action may jeopardize a *proposed* species or may adversely modify *proposed* critical habitat, the agency must enter into a section 7 conference. The agency may choose to confer with us on an action that may affect proposed species or critical habitat.

Candidate species are those for which there is sufficient information to support a proposal for listing. Although candidate species have no legal protection under the Act, we recommend that they be considered in the planning process in the event they become proposed or listed prior to project completion. More information on the regulations (50 CFR 402) and procedures for section 7 consultation, including the role of permit or license applicants, can be found in our Endangered Species Consultation Handbook at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>.

We also advise you to consider species protected under the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712) and the Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668 *et seq.*). The MBTA prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when authorized by the Service. The Eagle Act prohibits anyone, without a permit, from taking (including disturbing) eagles, and their parts, nests, or eggs. Currently 1,026 species of birds are protected by the MBTA, including the western burrowing owl (*Athene cucularia hypugaea*). Protected western burrowing owls can be found in urban areas and may use their nest/burrows year-round; destruction of the burrow may result in the unpermitted take of the owl or their eggs.

If a bald eagle or golden eagle nest occurs in or near the proposed project area, our office should be contacted for Technical Assistance. An evaluation must be performed to determine whether the project is likely to disturb or harm eagles. The National Bald Eagle Management Guidelines provide recommendations to minimize potential project impacts to bald eagles (see <https://www.fws.gov/law/bald-and-golden-eagle-protection-act> and <https://www.fws.gov/program/eagle-management>).

The Division of Migratory Birds (505/248-7882) administers and issues permits under the MBTA and Eagle Act, while our office can provide guidance and Technical Assistance. For more information regarding the MBTA, BGEPA, and permitting processes, please visit the following web site: <https://www.fws.gov/program/migratory-bird-permit>. Guidance for minimizing impacts to migratory birds for communication tower projects (e.g. cellular, digital television, radio, and emergency broadcast) can be found at <https://www.fws.gov/media/recommended-best-practices-communication-tower-design-siting-construction-operation>.

The U.S. Army Corps of Engineers (Corps) may regulate activities that involve streams (including some intermittent streams) and/or wetlands. We recommend that you contact the Corps to determine their interest in proposed projects in these areas. For activities within a National Wildlife Refuge, we recommend that you contact refuge staff for specific information about refuge resources, please visit [this link](#) or visit <https://www.fws.gov/program/national->

[wildlife-refuge-system](#) to locate the refuge you would be working in or around.

If your action is on tribal land or has implications for off-reservation tribal interests, we encourage you to contact the tribe(s) and the Bureau of Indian Affairs (BIA) to discuss potential tribal concerns, and to invite any affected tribe and the BIA to participate in the section 7 consultation. In keeping with our tribal trust responsibility, we will notify tribes that may be affected by proposed actions when section 7 consultation is initiated. For more information, please contact our Tribal Coordinator, John Nystedt, at 928/556-2160 or John_Nystedt@fws.gov.

We also recommend you seek additional information and coordinate your project with the Arizona Game and Fish Department. Information on known species detections, special status species, and Arizona species of greatest conservation need, such as the western burrowing owl and the Sonoran desert tortoise (*Gopherus morafkai*) can be found by using their Online Environmental Review Tool, administered through the Heritage Data Management System and Project Evaluation Program (<https://www.azgfd.com/wildlife/planning/projevalprogram/>).

We appreciate your concern for threatened and endangered species. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office. If we may be of further assistance, please contact our Flagstaff office at 928/556-2118 for projects in northern Arizona, our general Phoenix number 602/242-0210 for central Arizona, or 520/670-6144 for projects in southern Arizona.

Sincerely,
/s/

Heather Whitlaw
Field Supervisor
Attachment

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

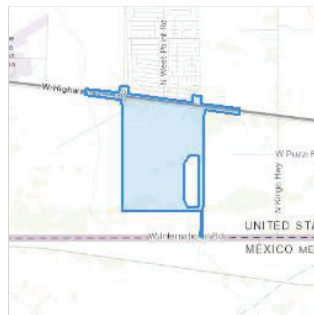
Arizona Ecological Services Field Office
9828 North 31st Ave
#c3
Phoenix, AZ 85051-2517
(602) 242-0210

PROJECT SUMMARY

Project Code: 2023-0043299
 Project Name: CBP Douglas POE
 Project Type: Road/Hwy - New Construction
 Project Description: this project is to provide connectivity from the proposed second international port-of-entry (IPOE) near Douglas to the state highway system. The existing IPOE would remain in place to handle pedestrians, buses, and light vehicles. The project will establish new rights-of-way, install utilities, improve the intersection of SR 80 to accommodate oversize trucks, upgrade or construct a connector road to a heavy multi-lane section. Total approximate length of alternative alignments under consideration is 5.47 miles (by 200 foot wide). A portion of SR 80 is included in the study area, approximately 2.5 miles (by 600 foot wide)

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@31.3488152,-109.65793160024504,14z>



Counties: Cochise County, Arizona

ENDANGERED SPECIES ACT SPECIES

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Jaguar <i>Panthera onca</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3944	Endangered

BIRDS

NAME	STATUS
Northern Aplomado Falcon <i>Falco femoralis septentrionalis</i> Population: U.S.A (AZ, NM) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1923	Experimental Population, Non-Essential
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

AMPHIBIANS

NAME	STATUS
Chiricahua Leopard Frog <i>Rana chiricahuensis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1516	Threatened

FISHES

NAME	STATUS
Yaqui Catfish <i>Ictalurus pricei</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5432	Threatened
Yaqui Chub <i>Gila purpurea</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3414	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Wright's Marsh Thistle <i>Cirsium wrightii</i> Population: There is final critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/8963	Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Rufous-winged Sparrow <i>Aimophila carpalis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Jun 15 to Sep 30

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

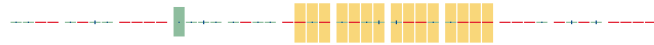
Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

■ probability of presence ■ breeding season | survey effort — no data

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC

Rufous-winged
Sparrow
BCC Rangewide
(CON)



Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

MIGRATORY BIRDS FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER POND

- [PUBF](#)

RIVERINE

- [R4SBC](#)
-

IPAC USER CONTACT INFORMATION

Agency: Tierra Right of Way Services
Name: Bruce Pavlick
Address: 1575 East River Road
Address Line 2: Suite 201
City: Tucson
State: AZ
Zip: 85718
Email: bpavlick@tierra-row.com
Phone: 5203192106

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

Arizona Environmental Online Review Tool Report



Arizona Game and Fish Department Mission

To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

Project Name:

CBP Douglas POE

User Project Number:

22EC00-348.01

Project Description:

this project is to provide connectivity from the proposed second international port-of-entry (IPOE) near Douglas to the state highway system. The existing IPOE would remain in place to handle pedestrians, buses, and light vehicles. The project will establish new rights-of-way, install utilities, improve the intersection of SR 80 to accommodate oversize trucks, upgrade or construct a connector road to a heavy multi-lane section. Total approximate length of alternative alignments under consideration is 5.47 miles (by 200 feet wide). A portion of SR 80 is included in the study area, approximately 2.5 miles (by 600 feet wide)

Project Type:

Transportation & Infrastructure, Road construction (including staging areas), Realignment/new roads

Contact Person:

Bruce Pavlick

Organization:

Canyon Environmental Consulting LLC

On Behalf Of:

CONSULTING

Project ID:

Please review the entire report for project type and/or species recommendations for the location information entered. Please retain a copy for future reference.

Disclaimer:

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Departments review of site-specific projects.
3. The Departments Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. Arizona Wildlife Conservation Strategy (AWCS), specifically Species of Greatest Conservation Need (SGCN), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

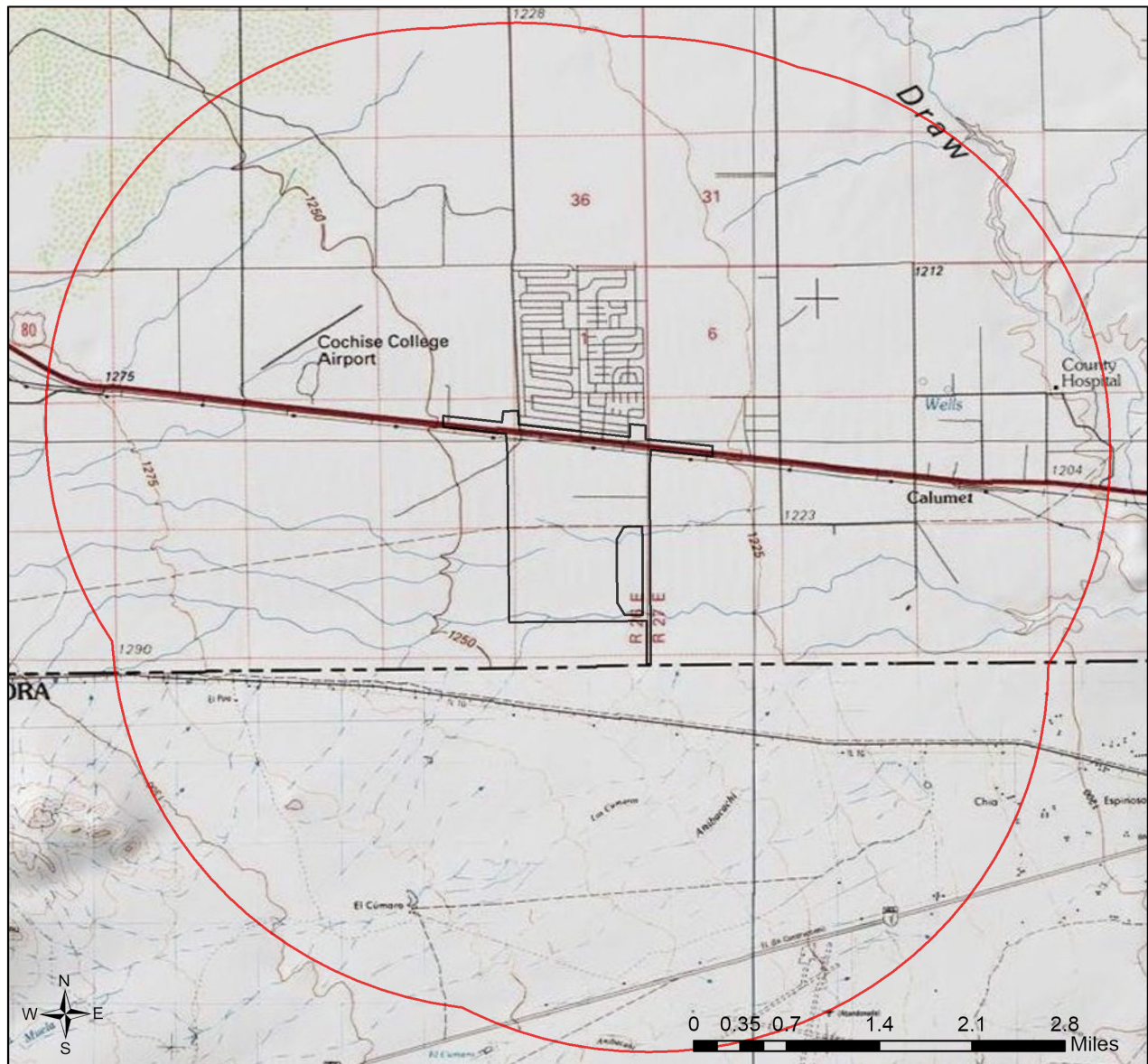
Locations Accuracy Disclaimer:

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

Recommendations Disclaimer:

1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:
Project Evaluation Program, Habitat Branch
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086-5000
Phone Number: (623) 236-7600
Fax Number: (623) 236-7366
Or
PEP@azgfd.gov
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies

CBP Douglas POE USA Topo Basemap With Locator Map



- Buffered Project Boundary
- Project Boundary

Project Size (acres): 999.80

Lat/Long (DD): 31.3507 / -109.6567

County(s): Cochise

AGFD Region(s): Tucson

Township/Range(s): T24S, R26E; T24S, R27E

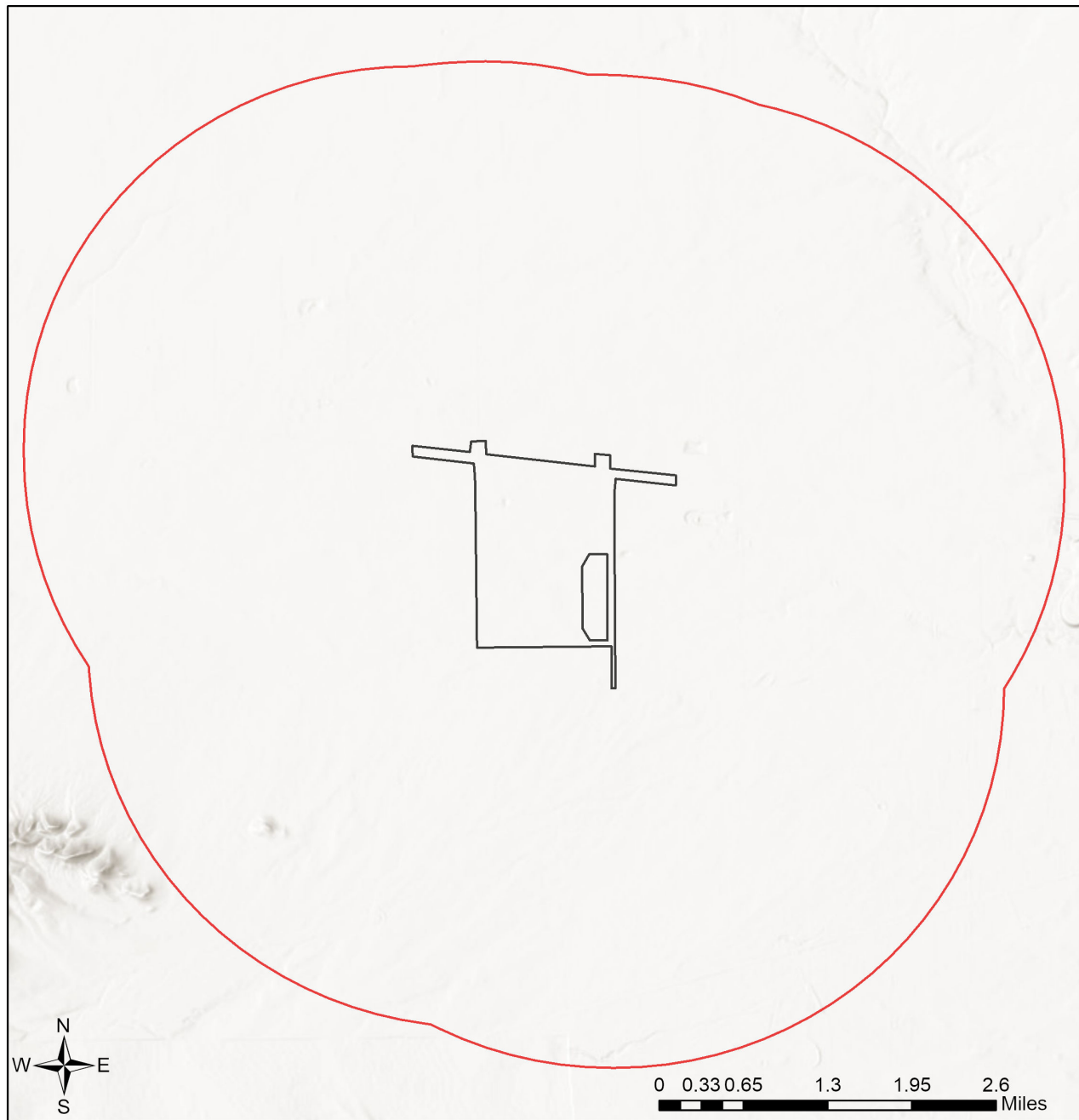
USGS Quad(s): PAUL SPUR

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



CBP Douglas POE

Web Map As Submitted By User



-  Buffered Project Boundary
-  Project Boundary

Project Size (acres): 999.80

Lat/Long (DD): 31.3507 / -109.6567

County(s): Cochise

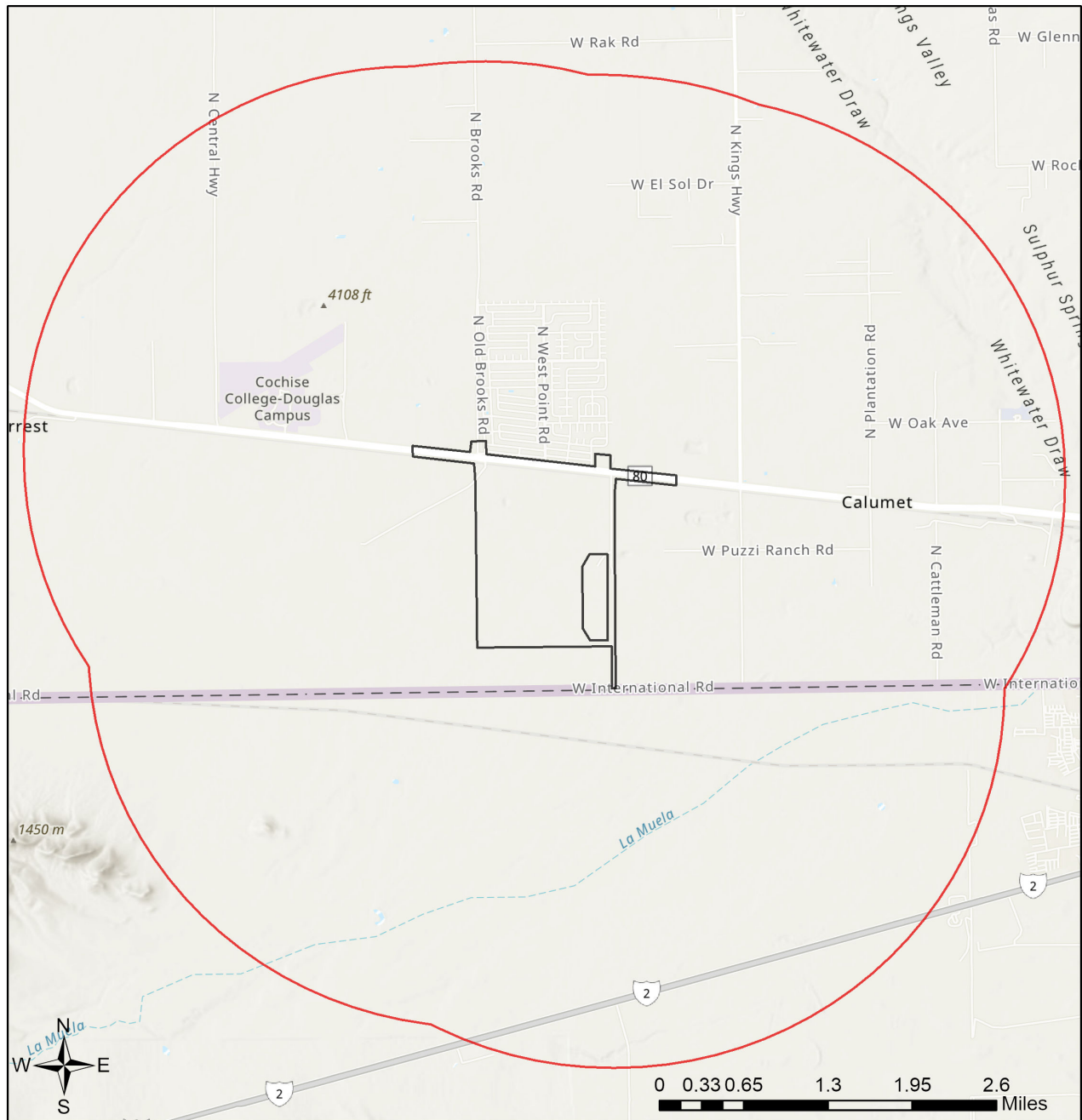
AGFD Region(s): Tucson

Township/Range(s): T24S, R26E; T24S, R27E

USGS Quad(s): PAUL SPUR

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

CBP Douglas POE Important Areas



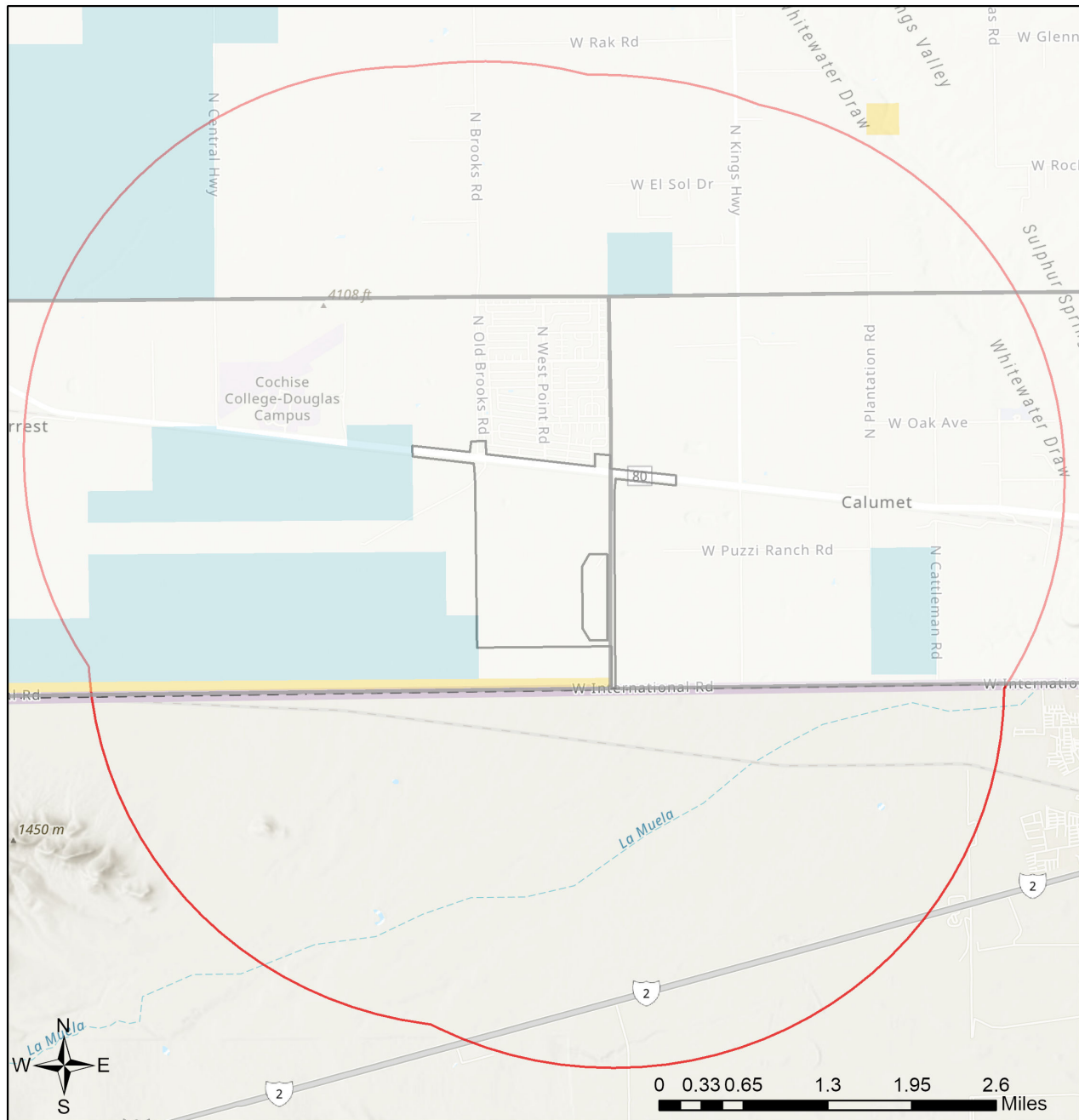
- Buffered Project Boundary
- Project Boundary
- Important Bird Areas
- Critical Habitat
- Pinal County Riparian
- Important Connectivity Zones
- Wildlife Connectivity

Project Size (acres): 999.80
 Lat/Long (DD): 31.3507 / -109.6567
 County(s): Cochise
 AGFD Region(s): Tucson
 Township/Range(s): T24S, R26E; T24S, R27E
 USGS Quad(s): PAUL SPUR

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community
 Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

CBP Douglas POE

Township/Ranges and Land Ownership



- | | |
|---|--|
| Buffered Project Boundary | National Park/Mon. |
| Project Boundary | Private |
| AZ Game & Fish Dept. | State & Regional Parks |
| BLM | State Trust |
| BOR | US Forest Service |
| Indian Res. | Wildlife Area/Refuge |
| Military | Township/Ranges |
| Mixed/Other | |

Project Size (acres): 999.80
 Lat/Long (DD): 31.3507 / -109.6567
 County(s): Cochise
 AGFD Region(s): Tucson
 Township/Range(s): T24S, R26E; T24S, R27E
 USGS Quad(s): PAUL SPUR

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community
 Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Special Status Species Documented within 3 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Danaus plexippus	Monarch	C		S		
Rana chiricahuensis	Chiricahua Leopard Frog	LT				1

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/statusdefinitions/>.

No Special Areas Detected

No special areas were detected within the project vicinity.

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Ammodramus savannarum ammolegus	Arizona grasshopper sparrow					
Ammodramus savannarum perpallidus	Western Grasshopper Sparrow					
Anthus spragueii	Sprague's Pipit	SC				2
Aquila chrysaetos	Golden Eagle			S		2
Artemisiospiza nevadensis	Sagebrush Sparrow					
Aspidoscelis sonora	Sonoran Spotted Whiptail					2
Athene cunicularia hypugaea	Western Burrowing Owl	SC	S	S		2
Auriparus flaviceps	Verdin					2
Buteo regalis	Ferruginous Hawk	SC		S		2
Buteo swainsoni	Swainson's Hawk					2
Buteogallus anthracinus	Common Black Hawk					2
Calcarius ornatus	Chestnut-collared Longspur					2
Callipepla squamata	Scaled Quail					2
Calypte costae	Costa's Hummingbird					2
Camptostoma imberbe	Northern Beardless-Tyrannulet		S			2
Campylorhynchus brunneicapillus	Cactus Wren					2
Catharus ustulatus	Swainson's Thrush					2
Chordeiles minor	Common Nighthawk					2
Coccyzus americanus	Yellow-billed Cuckoo (Western DPS)					
Columbina inca	Inca Dove					2
Corvus cryptoleucus	Chihuahuan Raven					2
Corynorhinus townsendii pallescens	Pale Townsend's Big-eared Bat	SC	S	S		1
Cynanthus latirostris	Broad-billed Hummingbird		S			2
Cynomys ludovicianus	Black-tailed Prairie Dog	CCA		S		1
Dendrocygna autumnalis	Black-bellied Whistling-Duck					2
Elgaria kingii	Madrean Alligator Lizard					2
Empidonax wrightii	Gray Flycatcher					2

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Eumops perotis californicus	Greater Western Bonneted Bat					
Falco mexicanus	Prairie Falcon					2
Falco peregrinus anatum	American Peregrine Falcon					
Falco sparverius	American Kestrel					2
Heloderma suspectum	Gila Monster					1
Hypsiglena sp. nov.	Hooded Nightsnake					2
Icterus bullockii	Bullock's Oriole					2
Icterus cucullatus	Hooded Oriole					2
Incilius alvarius	Sonoran Desert Toad					2
Kinosternon flavescens	Yellow Mud Turtle					2
Lanius ludovicianus	Loggerhead Shrike	SC				2
Lasiurus blossevillei	Western Red Bat		S			2
Lasiurus cinereus	Hoary Bat					2
Lasiurus xanthinus	Western Yellow Bat		S			2
Leptonycteris yerbabuenae	Lesser Long-nosed Bat	SC				1
Lithobates chiricahuensis	Chiricahua Leopard Frog	LT				1
Lithobates yavapaiensis	Lowland Leopard Frog	SC	S	S		1
Megascops kennicottii	Western Screech-owl					
Melanerpes uropygialis	Gila Woodpecker					2
Melospiza lincolni	Lincoln's Sparrow					2
Melospiza aberti	Abert's Towhee		S			2
Micrathene whitneyi	Elf Owl					
Myotis auriculus	Southwestern Myotis					2
Myotis thysanodes	Fringed Myotis	SC				2
Myotis velifer	Cave Myotis	SC		S		2
Myotis yumanensis	Yuma Myotis	SC				2
Notiosorex cockrumi	Cockrum's Desert Shrew					2
Nyctinomops femorosaccus	Pocketed Free-tailed Bat					2
Nyctinomops macrotis	Big Free-tailed Bat	SC				2
Parabuteo unicinctus	Harris's Hawk					2
Passerculus sandwichensis	Savannah Sparrow					2
Peucaea botterii arizonae	Arizona Botteri's Sparrow			S		2
Peucaea carpalis	Rufous-winged Sparrow					2
Phrynosoma solare	Regal Horned Lizard					2
Poocetes gramineus	Vesper Sparrow					2
Sistrurus tergeminus	Western Massasauga					
Spizella breweri	Brewer's Sparrow					2
Tadarida brasiliensis	Brazilian Free-tailed Bat					
Terrapene ornata	Ornate Box Turtle			S		1

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Toxostoma bendirei	Bendire's Thrasher					2

Species of Economic and Recreation Importance Predicted that Intersect with Project Footprint as Drawn

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Callipepla gambelii	Gambel's Quail					
Callipepla squamata	Scaled Quail					
Odocoileus hemionus	Mule Deer					
Patagioenas fasciata	Band-tailed Pigeon					
Pecari tajacu	Javelina					
Puma concolor	Mountain Lion					
Zenaida asiatica	White-winged Dove					
Zenaida macroura	Mourning Dove					

Project Type: Transportation & Infrastructure, Road construction (including staging areas), Realignment/new roads

Project Type Recommendations:

Bridge Maintenance/Construction

Identify whether wildlife species use the structure for roosting or nesting during anticipated maintenance/construction period. Plan the timing of maintenance/construction to minimize impacts to wildlife species. In addition to the species list generated by the Arizona's On-line Environmental Review Tool, the Department recommends that surveys be conducted at the bridge and in the vicinity of the bridge to identify additional or currently undocumented bat, bird, or aquatic species in the project area. To minimize impacts to birds and bats, as well as aquatic species, consider conducting maintenance and construction activities outside the breeding/maternity season (breeding seasons for birds and bats usually occur spring - summer). Examining the crevices for the presence of bats prior to pouring new paving materials or that the top of those crevices be sealed to prevent material from dripping or falling through the cracks and potentially onto bats. If bats are present, maintenance and construction (including paving and milling) activities should be conducted during nighttime hours, if possible, when the fewest number of bats will be roosting. Minimize impacts to the vegetation community. Unavoidable impacts to vegetation should be mitigated on-site whenever possible. A revegetation plan should be developed to replace impacted communities.

Consider design structures and construction plans that minimize impacts to channel geometry (i.e., width/depth ratio, sinuosity, allow overflow channels), to avoid alteration of hydrological function. Consider incorporating roosting sites for bats into bridge designs. During construction, erosion control structures and drainage features should be used to prevent introduction of sediment laden runoff into the waterway. Minimize instream construction activity. If culverts are planned, use wildlife friendly designs to mitigate impacts to wildlife and fish movement. Guidelines for bridge designs to facilitate wildlife passage can be found on our Wildlife Friendly Guidelines web page under the Wildlife Planning button, at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Fence recommendations will be dependent upon the goals of the fence project and the wildlife species expected to be impacted by the project. General guidelines for ensuring wildlife-friendly fences include: barbless wire on the top and bottom with the maximum fence height 42", minimum height for bottom 16". Modifications to this design may be considered for fencing anticipated to be routinely encountered by elk, bighorn sheep or pronghorn (e.g., Pronghorn fencing would require 18" minimum height on the bottom). Please refer to the Department's Fencing Guidelines located on Wildlife Friendly Guidelines page, which is part of the Wildlife Planning button at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife. Guidelines for many of these can be found at: <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.

Minimize the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects and pathogens. Precautions should be taken to wash and/or decontaminate all equipment utilized in the project activities before entering and leaving the site. See the Arizona Department of Agriculture website for a list of prohibited and restricted noxious weeds at <https://www.invasivespeciesinfo.gov/unitedstates/az.shtml> and the Arizona Native Plant Society <https://aznps.com/invas> for recommendations on how to control. To view a list of documented invasive species or to report invasive species in or near your project area visit iMapInvasives - a national cloud-based application for tracking and managing invasive species at <https://imap.natureserve.org/imap/services/page/map.html>.

- To build a list: zoom to your area of interest, use the identify/measure tool to draw a polygon around your area of interest, and select "See What's Here" for a list of reported species. To export the list, you must have an account and be logged in. You can then use the export tool to draw a boundary and export the records in a csv file.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (include spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

Based on the project type entered, coordination with State Historic Preservation Office may be required (<https://azstateparks.com/>).

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herpetofauna (snakes, lizards, tortoise) from entering ditches.

Design culverts to minimize impacts to channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Reduce/minimize barriers to allow movement of amphibians or fish (e.g., eliminate falls). Also for terrestrial wildlife, washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found on the home page of this application at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Based on the project type entered, coordination with Arizona Department of Environmental Quality may be required (<http://www.azdeq.gov/>).

Based on the project type entered, coordination with U.S. Army Corps of Engineers may be required (<http://www.usace.army.mil/>)

Based on the project type entered, coordination with County Flood Control district(s) may be required.

Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly at PEP@azgfd.gov.

Project Location and/or Species Recommendations:

HDMS records indicate that **Chiricahua Leopard Frogs** have been documented within the vicinity of your project area. Please review the Chiricahua Leopard Frog Management Guidelines found at: <https://s3.amazonaws.com/azgfd-portal-wordpress/PortalImages/files/wildlife/planningFor/wildlifeFriendlyGuidelines/FINALLithchirHabitatGdlns.pdf>

HDMS records indicate that one or more **Listed, Proposed, or Candidate** species or **Critical Habitat** (Designated or Proposed) have been documented in the vicinity of your project. The Endangered Species Act (ESA) gives the US Fish and Wildlife Service (USFWS) regulatory authority over all federally listed species. Please contact USFWS Ecological Services Offices at <https://www.fws.gov/office/arizona-ecological-services> or:

Phoenix Main Office

9828 North 31st Avenue #C3
Phoenix, AZ 85051-2517
Phone: 602-242-0210
Fax: 602-242-2513

Tucson Sub-Office

201 N. Bonita Suite 141
Tucson, AZ 85745
Phone: 520-670-6144
Fax: 520-670-6155

Flagstaff Sub-Office

SW Forest Science Complex
2500 S. Pine Knoll Dr.
Flagstaff, AZ 86001
Phone: 928-556-2157
Fax: 928-556-2121

April 7, 2023

Cheri A. Bouchér
Transportation Project Evaluation Specialist
Arizona Game and Fish Department
WMHB—Project Evaluation Program
5000 West Carefree Highway
Phoenix, Arizona 85086-5000

Submitted by email to pep@azgfd.gov

Subject: ADOT F053401L City of Douglas International POE Connector Road Study
Federal Project No. 999-A(561)T
Agency Scoping Meeting

Dear Ms. Bouchér:

The Arizona Department of Transportation (ADOT), in cooperation with the Federal Highway Administration, City of Douglas, and General Services Administration has initiated a design concept study with an Environmental Assessment for a proposed connector road between State Route 80 (SR 80) and a proposed new commercial port of entry (POE) by the General Services Administration (GSA) near Douglas, Arizona. Approximately 4.5 miles west of the existing Raul Hector Castro POE and the City of Douglas limits (see enclosed map), this study will develop, evaluate, and recommend the location of the connector road, in close coordination with GSA. The project team will prepare a Design Concept Report (DCR) and Environmental Assessment (EA) to evaluate both no-build and build alternatives for improvements on primarily undeveloped commercial and residential property.

Following completion of final design, the scope of work for this project will include:

- Construction of a four-lane divided roadway in the vicinity of James Ranch Road between SR 80 and GSA's new POE on the north side of the Mexican-U.S. border.
- Installation of culverts under the connector road to accommodate stormwater runoff.
- Construction of a new intersection between SR 80 and the connector road.

The construction duration is anticipated to be 16 months following right-of-way acquisition, with completion coinciding with the opening of the new GSA facility. Traffic would be controlled along SR 80 during intersection construction to minimize impacts on motorists, pedestrians, and construction personnel, as needed. No detours are anticipated during construction. Access to adjacent properties would be maintained throughout construction. The acquisition of approximately 100 acres of new right-of-way from adjacent property owners is anticipated. Construction efforts would temporarily elevate noise levels. An unknown quantity of trees and vegetation would be removed during construction depending on the alternative selected.

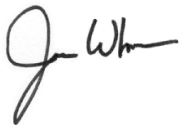
A list of species potentially occurring in the project area was obtained using the Arizona Game and Fish Department (AZGFD) Arizona Environmental Online Review Tool. This project was submitted online for your review on February 8, 2023 and is recorded as Project ID HGIS-18349. If you or others in your agency have specific concerns, suggestions, or recommendations pertaining to this project, please let us

know. This can include information on wildlife movement, habitat issues, or seasonal concerns, to name a few.

If the AZGFD would like to have continued involvement in this project, please include an expression of interest, individual contact information, and a description of specific concerns. If no concerns or requests for future coordination are identified, ADOT will consider its coordination complete for the project.

Please submit your comments or concerns by May 8, 2023, to ADOT c/o Don Smith via email at Don.Smith@stantec.com or by phone at (480) 403-1377. Thank you for your time and assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin White". The signature is fluid and cursive, with the first name "Justin" being more prominent than the last name "White".

Justin White
Biology Program Manager

Enclosure

cc: Morgan Ghods, ADOT Environmental Planning
Tazeen Dewan, ADOT Project Management
Robert Lemke, Stantec



**Arizona Department of Transportation
Environmental Planning**

**BIOLOGICAL EVALUATION
UPDATE MEMORANDUM**

City of Douglas International Port of Entry Connector Road Study
999-A(561)T
F0534 01L

Prepared for:	ADOT Approval Signature
Arizona Department of Transportation Environmental Planning 205 South 17th Avenue, MD EM02 Phoenix, Arizona 85007	Alexa Lopezlira Digitally signed by Alexa Lopezlira Date: 2024.07.09 15:44:32 -07'00'

Prepared by:
Tierra Right of Way Services, Ltd.
1575 East River Road, Suite 201
Tucson, Arizona 85718
Tierra Project No. 22EC00-348.01

July 2, 2024
Submittal Number: 6

*This report is the property of ADOT and may contain sensitive biological information.
ADOT approval is required prior to reproduction or distribution.*

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1. Summary

This memorandum provides an update to the approved Biological Evaluation (BE; January 10, 2024) for the International Port of Entry (IPOE) Connector Road, just west of the city of Douglas, Cochise County, Arizona. This memorandum reflects changes in the project scope and limits. The original BE had a “no effect” determination. Based on the changes to the project limits and scope, impacts to species and habitat remain unchanged; therefore, a new BE was not prepared.

2. Updated Project Description

The project limits have changed since the BE was approved. ADOT has selected a preferred alternative, previously noted as Alternative 1, which follows the James Ranch Road alignment; and added drainage easements to the east and west sides of James Ranch Road. The easements include three separate areas on the east side (totaling 43.6 acres) and one large easement (99.7 acres) on the west side. The drainage easements along the east and west of James Ranch Road will be a graded/excavated area that will be used to contain the increase in the 100-year ponding depth that will be created by the construction of the connector road. All other aspects of the project location and scope of work remain the same as reported in the approved BE.

Land within the drainage easements is privately owned (see Figure 1).

The project is located in Douglas, Cochise County, Arizona (see Figures 1 and 2). The location is in portions of Sections 12 and 13 Township 24 South, Range 26 East, and portions of Sections 7, 18, and 19, Township 24 South, Range 27 East, Paul Spur, Arizona, US Geological Survey 7.5-minute Topographic Series.

The project team is preparing a Design Concept Report and an Environmental Assessment to evaluate a preferred alternative route for improvements on primarily undeveloped commercial and residential property. After the final design is completed (estimated 2025), the scope of work for this project would include:

- constructing a four-lane divided roadway in the vicinity of James Ranch Road between State Route (SR) 80 and the new IPOE on the north side of the US–Mexico border;
- installing culverts under the connector road to accommodate stormwater runoff; and
- constructing a new intersection between SR 80 and the connector road.

Alternative 1 consists of constructing a new at-grade roadway along James Ranch Road. This alignment would provide a straight connection from SR 80 to the proposed IPOE. A traffic study is being conducted to determine the appropriate traffic control at the intersection of SR 80 and James Ranch Road. This alignment would cross three washes. A drainage study is being conducted to determine the appropriate culverts or drainage structures to accommodate the washes at the roadway crossings. An entrance/exit into the General Services Administration IPOE would be provided near the eastern end of its 80-acre parcel.

Construction is expected to last 16 months following right-of-way acquisition, with completion coinciding with the opening of the new IPOE. Traffic would be controlled along SR 80 during intersection construction to minimize impacts on motorists, pedestrians, and construction personnel, as needed. No detours are anticipated during construction. Access to adjacent properties would be maintained throughout construction. Construction efforts would temporarily elevate noise levels. An unknown quantity of trees and vegetation would be removed during construction. Specific details related to construction timing and sequencing are not yet known, nor are specific permanent versus temporary disturbance quantities. A general assumption is that standard large equipment typically used for new roadway construction would be used during construction (e.g., bulldozers, graders, dump trucks, concrete trucks, and paving equipment).

3. Updated Species Identification

As part of the species evaluation process in the approved BE, a US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) official species list was generated (see attached). All species identified in the previous IPaC (December 28, 2023) were excluded from further evaluation in the BE. A new IPaC official species list reflecting the revised project limits was generated (Project Code: 2024-0106422, June 19, 2024). There were no changes to designated or proposed critical habitat, and one additional species was reported:

- Gila Topminnow (including Yaqui) (*Poeciliopsis occidentalis*), Endangered Species Act—Listed Endangered

Based on a review of the BE, the revised project limits and scope, and a recent site survey, the project limits do not support suitable aquatic habitat. There is no designated critical habitat for the Gila Topminnow, and the project will have no effect on this species or its habitats. The original BE project limits and related erosion and sediment control measures would have no effect on these species excluded from further evaluation and would have no effect on any designated or proposed critical habitats. The original effect determinations in the approved BE remain valid. No further analysis is necessary.

The BE also assessed special status species identified in the Arizona Game and Fish Department (AGFD) Arizona Environmental Online Review Tool (ERT) as known to occur within 3 miles of the project limits. A new report (HGIS-20988, June 20, 2024, see attached) was generated to reflect the revised project limits; there were no changes to the list of species known to occur within 3 miles of the project.

Based on the revised project scope, recent information obtained from the AGFD, and the site survey, the BE remains valid with regard to the evaluation of the State sensitive species and the effect determinations.

4. Environmental Commitments

Based on a review of the approved BE and the revised project limits and scope, the environmental commitments listed in the BE remain valid. These environmental commitments are listed below.

4.1 Roadside Development Section Requirements

The Arizona Department of Transportation (ADOT) Roadside Development Section would provide special provisions for the control of noxious and invasive plant species during construction that may require treatment and control within the project limits.

Protected native plants within the project limits would be impacted by this project; therefore, the ADOT Roadside Development Section would determine if Arizona Department of Agriculture notification is needed. If notification is needed, the ADOT Roadside Development Section would send the notification at least 60 calendar days prior to the start of construction.

4.2 Southeast District Responsibility

If clearing, grubbing, or tree/limb removal will take place during the breeding season (March 1 to August 31), the engineer will contact the ADOT Environmental Planning group to arrange for a qualified biologist to conduct active nest surveys of vegetation 10 days prior to removal. During the non-breeding season (September 1 to February 28), clearing, grubbing, or tree/limb removal may proceed without restriction.

4.3 Contractor Requirements

The contractor shall not conduct any clearing, grubbing, or tree/limb removal from March 1 to August 31 unless a qualified biologist approved by the ADOT Environmental Planning group has conducted a bird nest search of the affected vegetation and has determined that no active bird nests are present. Vegetation removal may occur

if the area has been surveyed within 10 days prior to removal as long as only inactive bird nests, if any, are present.

The contractor shall develop a Noxious and Invasive Plant Species Treatment and Control Plan in accordance with the requirements in the contract documents. Plants to be controlled shall include those listed in the State and Federal noxious weed and the State invasive species lists in accordance with State and Federal laws and executive orders. The plan and associated treatments shall include all areas within the project right-of-way and easements as shown on the project plans. The treatment and control plan shall be submitted to the engineer for the ADOT Construction Professional Landscape Architect for review and approval prior to implementation by the contractor.

Prior to the start of ground-disturbing activities and throughout the duration of construction and any landscape establishment period, the contractor shall arrange for and perform the control of noxious and invasive species in the project area.

To prevent the introduction of invasive species seeds, all earthmoving and hauling equipment shall be washed prior to entering the construction site, and the contractor shall inspect all construction equipment and remove all attached debris, including plant parts, soil, and mud.

To prevent invasive species seeds from leaving the site, the contractor shall inspect all construction and hauling equipment and remove all debris, including plant parts, soil, and mud, prior to leaving the construction site.

5. Attachments

Figure 1-State and Project Location Map (Topographical)

Figure 2-State and Project Location Map (Aerial)

Figure 3-Project Vicinity Map

Figure 4-FEMA Map

USFWS IPaC Official Species List (June 19, 2024)

AGFD ERT Report (June 20, 2024)

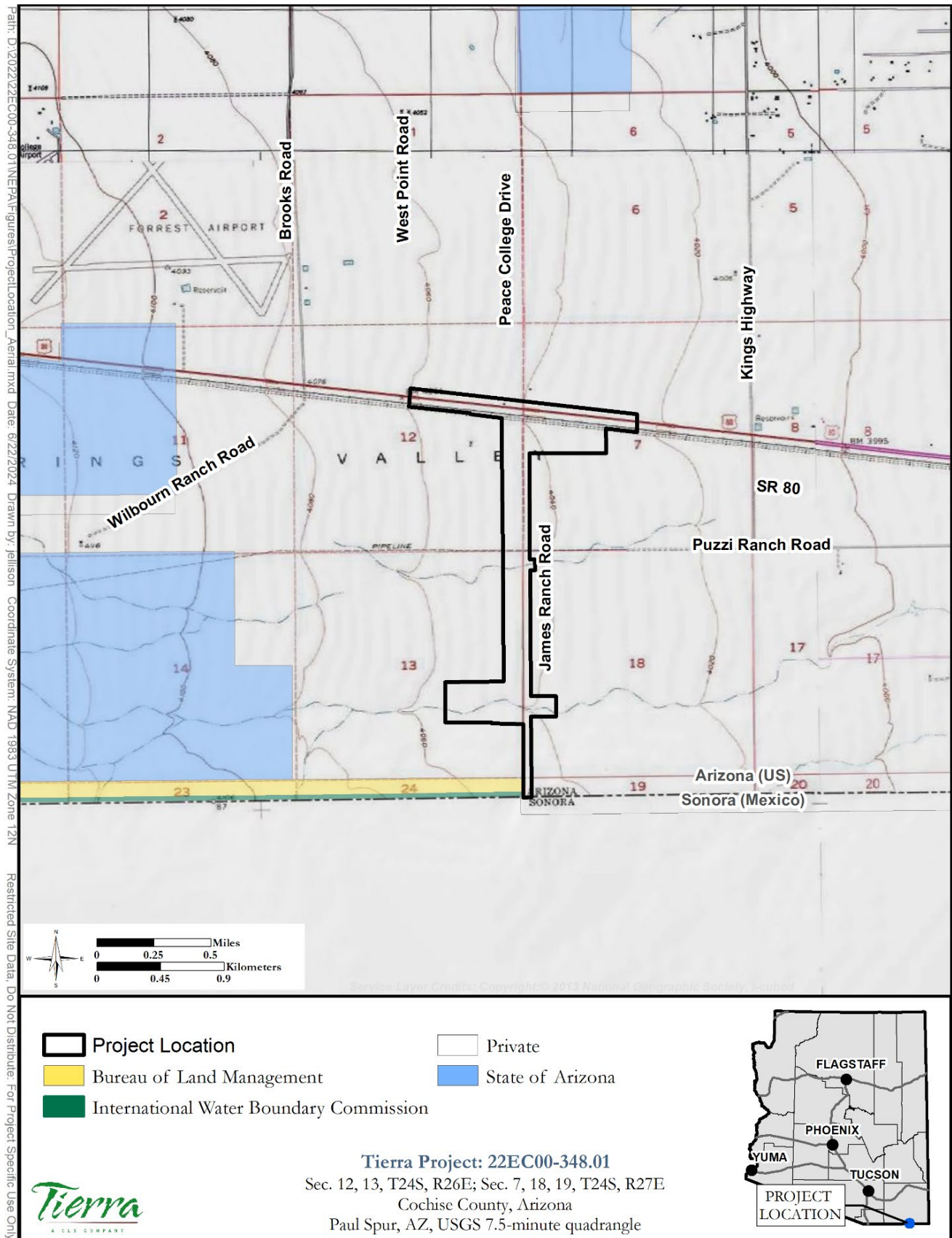


Figure 1. Topographical state and project location map.

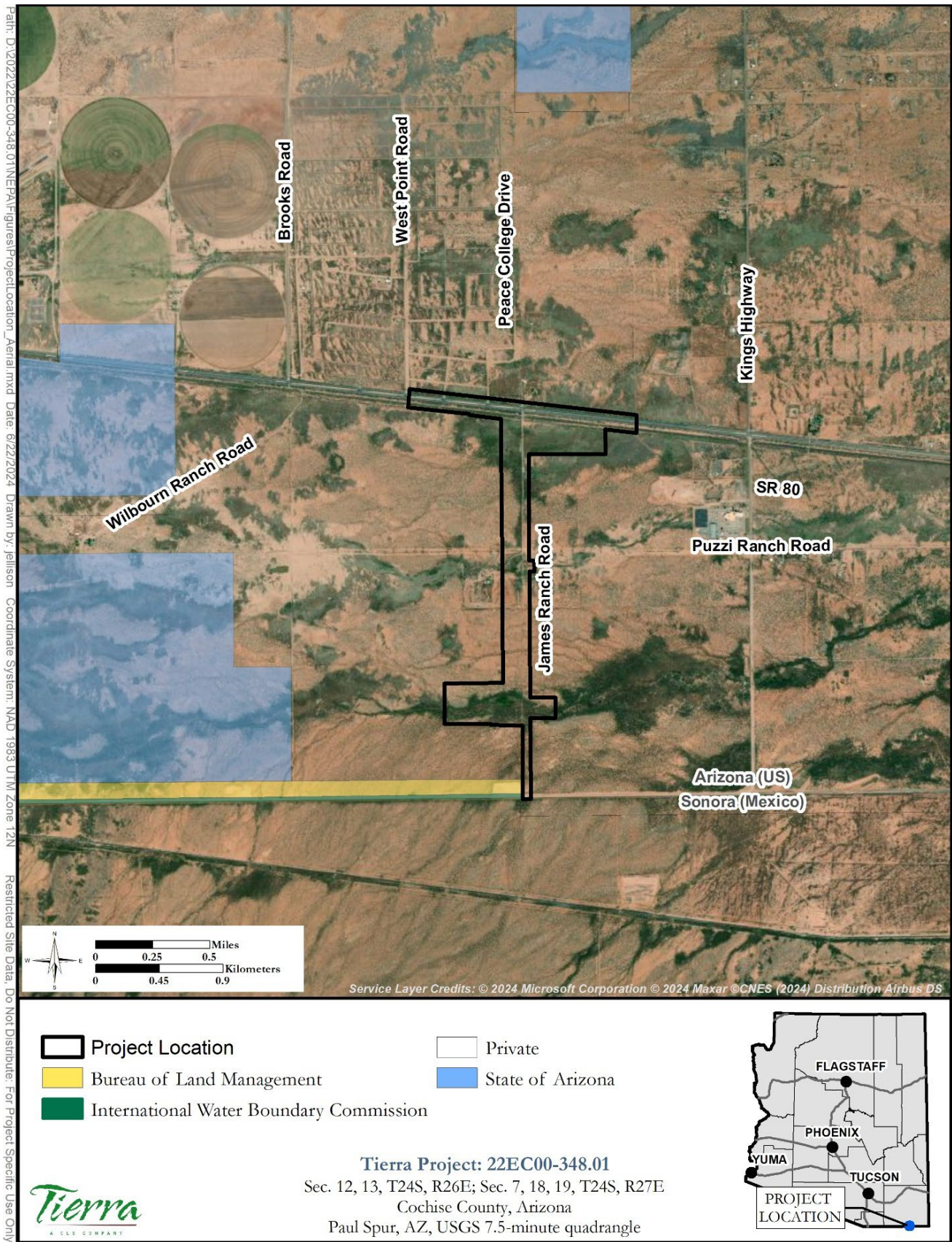


Figure 2. Aerial state and project location map.

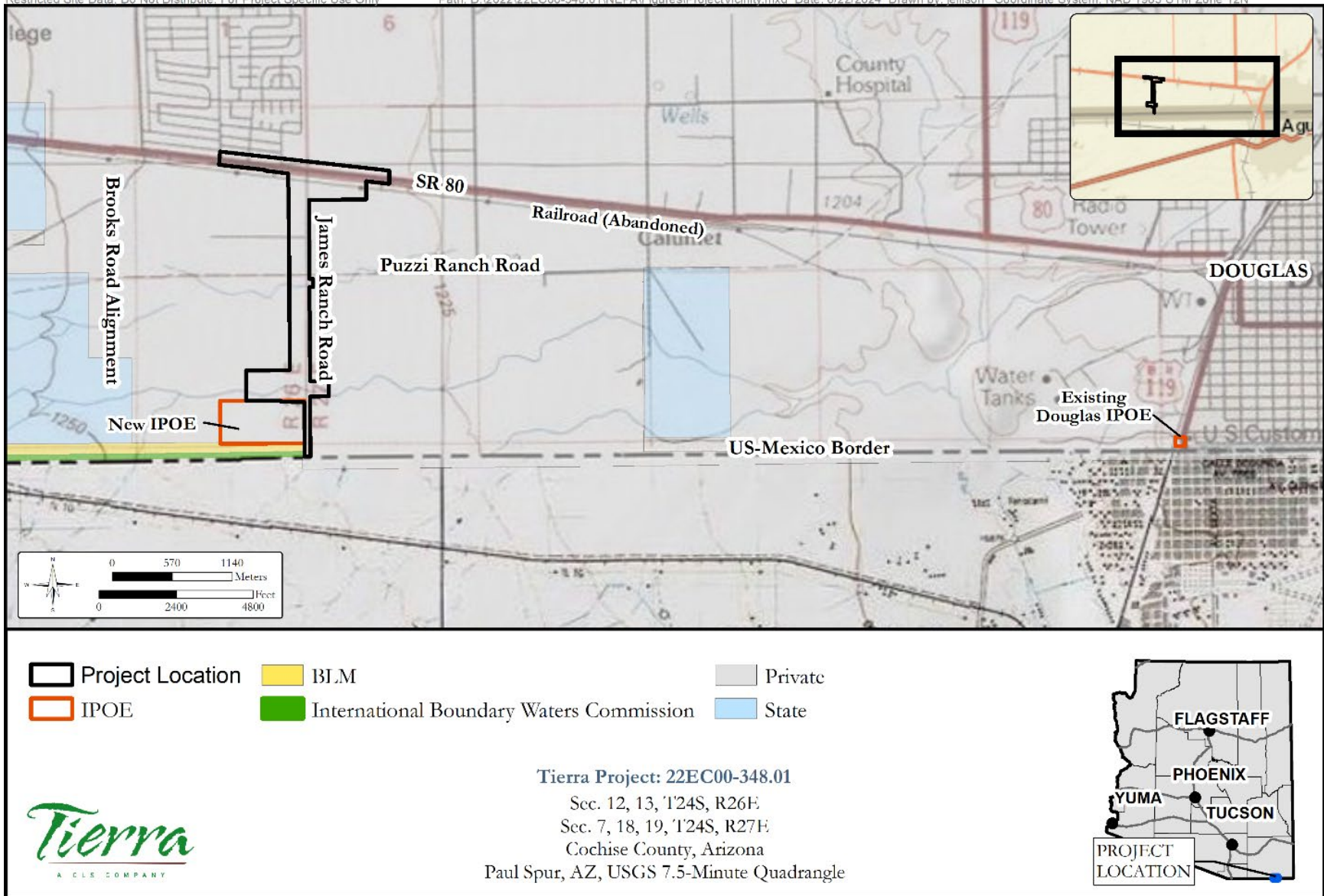


Figure 3. Project vicinity map.

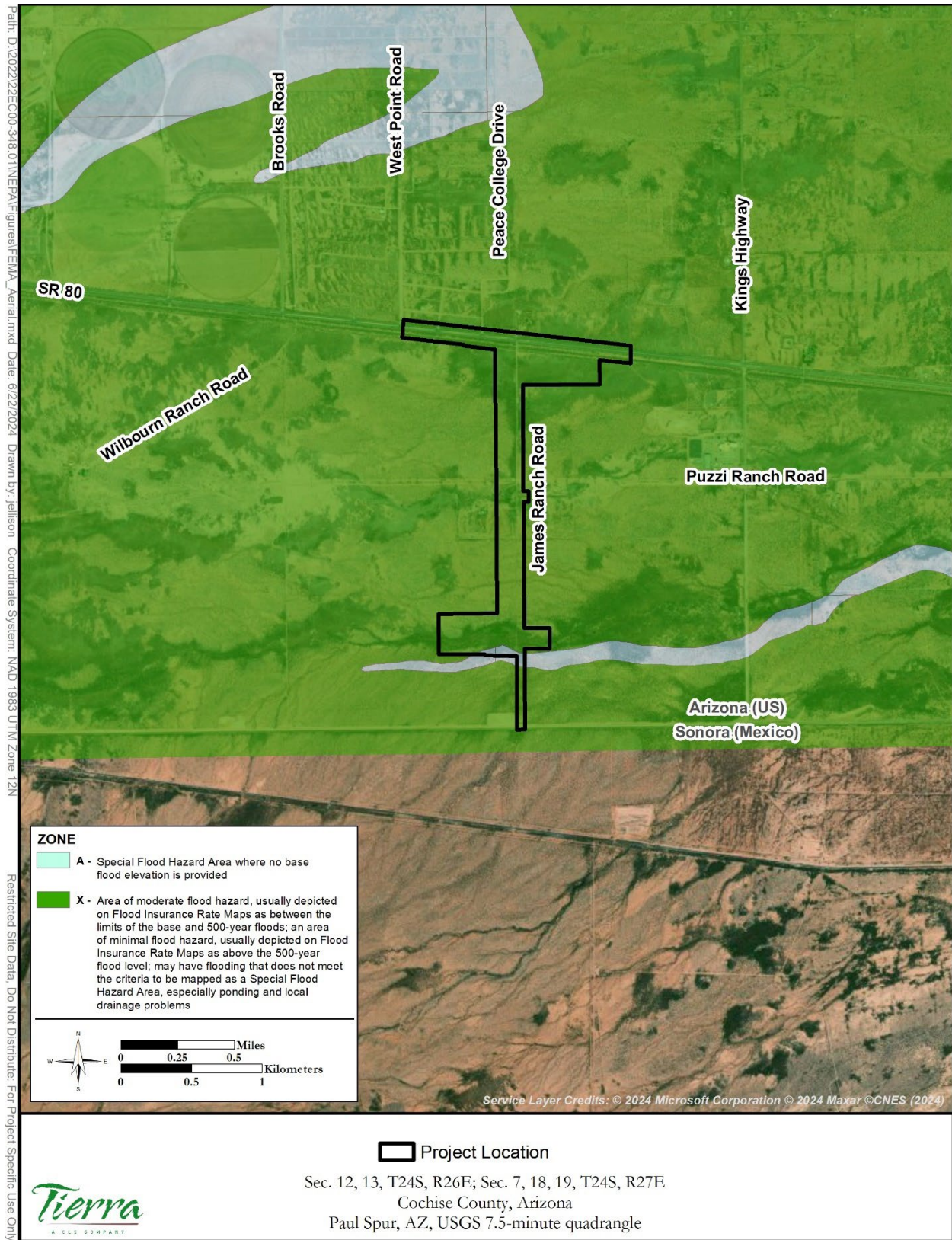


Figure 4. FEMA map.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Arizona Ecological Services Field Office
9828 North 31st Ave
#c3
Phoenix, AZ 85051-2517
Phone: (602) 242-0210 Fax: (602) 242-2513



In Reply Refer To:

06/19/2024 23:45:16 UTC

Project Code: 2024-0106422

Project Name: City of Douglas International Port of Entry Connector Road Study

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The Fish and Wildlife Service (Service) is providing this list under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). The list you have generated identifies threatened, endangered, proposed, and candidate species, and designated and proposed critical habitat, that *may* occur within the One-Range that has been delineated for the species (candidate, proposed, or listed) and its critical habitat (designated or proposed) with which your project polygon intersects. These range delineations are based on biological metrics, and do not necessarily represent exactly where the species is located. Please refer to the species information found on ECOS to determine if suitable habitat for the species on your list occurs in your project area.

The purpose of the Act is to provide a means whereby threatened and endangered species and the habitats upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of Federal trust resources and to determine whether projects may affect federally listed species and/or designated critical habitat. A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If the Federal action agency determines that listed species or critical habitat *may be affected* by a federally funded, permitted or authorized activity, the agency must consult with us pursuant to 50 CFR 402. Note that a "may affect" determination includes effects that may not be adverse and that may be beneficial, insignificant, or discountable. An effect exists even if only one individual

or habitat segment may be affected. The effects analysis should include the entire action area, which often extends well outside the project boundary or "footprint." For example, projects that involve streams and river systems should consider downstream affects. If the Federal action agency determines that the action may jeopardize a *proposed* species or may adversely modify *proposed* critical habitat, the agency must enter into a section 7 conference. The agency may choose to confer with us on an action that may affect proposed species or critical habitat.

Candidate species are those for which there is sufficient information to support a proposal for listing. Although candidate species have no legal protection under the Act, we recommend that they be considered in the planning process in the event they become proposed or listed prior to project completion. More information on the regulations (50 CFR 402) and procedures for section 7 consultation, including the role of permit or license applicants, can be found in our Endangered Species Consultation Handbook at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>.

We also advise you to consider species protected under the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712) and the Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668 *et seq.*). The MBTA prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when authorized by the Service. The Eagle Act prohibits anyone, without a permit, from taking (including disturbing) eagles, and their parts, nests, or eggs. Currently 1,026 species of birds are protected by the MBTA, including the western burrowing owl (*Athene cunicularia hypugaea*). Protected western burrowing owls can be found in urban areas and may use their nest/burrows year-round; destruction of the burrow may result in the unpermitted take of the owl or their eggs.

If a bald eagle or golden eagle nest occurs in or near the proposed project area, our office should be contacted for Technical Assistance. An evaluation must be performed to determine whether the project is likely to disturb or harm eagles. The National Bald Eagle Management Guidelines provide recommendations to minimize potential project impacts to bald eagles (see <https://www.fws.gov/law/bald-and-golden-eagle-protection-act> and <https://www.fws.gov/program/eagle-management>).

The Division of Migratory Birds (505/248-7882) administers and issues permits under the MBTA and Eagle Act, while our office can provide guidance and Technical Assistance. For more information regarding the MBTA, BGEP, and permitting processes, please visit the following web site: <https://www.fws.gov/program/migratory-bird-permit>. Guidance for minimizing impacts to migratory birds for communication tower projects (e.g. cellular, digital television, radio, and emergency broadcast) can be found at <https://www.fws.gov/media/recommended-best-practices-communication-tower-design-siting-construction-operation>.

The U.S. Army Corps of Engineers (Corps) may regulate activities that involve streams (including some intermittent streams) and/or wetlands. We recommend that you contact the Corps to determine their interest in proposed projects in these areas. For activities within a National Wildlife Refuge, we recommend that you contact refuge staff for specific information about refuge resources, please visit [this link](#) or visit <https://www.fws.gov/program/national->

[wildlife-refuge-system](#) to locate the refuge you would be working in or around.

If your action is on tribal land or has implications for off-reservation tribal interests, we encourage you to contact the tribe(s) and the Bureau of Indian Affairs (BIA) to discuss potential tribal concerns, and to invite any affected tribe and the BIA to participate in the section 7 consultation. In keeping with our tribal trust responsibility, we will notify tribes that may be affected by proposed actions when section 7 consultation is initiated. For more information, please contact our Tribal Coordinator, John Nystedt, at 928/556-2160 or John.Nystedt@fws.gov.

We also recommend you seek additional information and coordinate your project with the Arizona Game and Fish Department. Information on known species detections, special status species, and Arizona species of greatest conservation need, such as the western burrowing owl and the Sonoran desert tortoise (*Gopherus morafkai*) can be found by using their Online Environmental Review Tool, administered through the Heritage Data Management System and Project Evaluation Program (<https://www.azgfd.com/wildlife-conservation/planning-for-wildlife/project-evaluation-program/>).

We appreciate your concern for threatened and endangered species. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office. If we may be of further assistance, please contact our Flagstaff office at 928/556-2118 for projects in northern Arizona, our general Phoenix number 602/242-0210 for central Arizona, or 520/670-6144 for projects in southern Arizona.

Sincerely,
/s/

Heather Whitlaw
Field Supervisor
Attachment

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Arizona Ecological Services Field Office

9828 North 31st Ave

#c3

Phoenix, AZ 85051-2517

(602) 242-0210

PROJECT SUMMARY

Project Code: 2024-0106422

Project Name: City of Douglas International Port of Entry Connector Road Study

Project Type: Road/Hwy - New Construction

Project Description: The purpose of this project is to provide connectivity from the proposed second international port-of-entry (IPOE) near Douglas to the state highway system. The existing IPOE would remain in place to handle pedestrians, buses, and light vehicles. The project will establish new rights-of-way, install utilities, improve the intersection of SR 80 to accommodate oversize trucks, upgrade or construct a connector road to a heavy multi-lane section.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@31.3450049,-109.64801926456877,14z>



Counties: Cochise County, Arizona

ENDANGERED SPECIES ACT SPECIES

There is a total of 11 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Jaguar <i>Panthera onca</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3944	Endangered

BIRDS

NAME	STATUS
Northern Aplomado Falcon <i>Falco femoralis septentrionalis</i> Population: U.S.A (AZ, NM) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1923	Experimental Population, Non- Essential
Southwestern Willow Flycatcher <i>Empidonax traillii extimus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6749	Endangered
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

AMPHIBIANS

NAME	STATUS
Chiricahua Leopard Frog <i>Rana chiricahuensis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1516	Threatened

FISHES

NAME	STATUS
Gila Topminnow (incl. Yaqui) <i>Poeciliopsis occidentalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1116	Endangered
Yaqui Catfish <i>Ictalurus pricei</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5432	Threatened
Yaqui Chub <i>Gila purpurea</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3414	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Arizona Eryngo <i>Eryngium sparganophyllum</i> Population: There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/10705	Endangered
Wright's Marsh Thistle <i>Cirsium wrightii</i> Population: There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8963	Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.

3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO BALD AND GOLDEN EAGLES WITHIN THE VICINITY OF YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R4SBC

IPAC USER CONTACT INFORMATION

Agency: Tierra Right of Way Services, Ltd.

Name: Kelsey Crawford

Address: 1575 E River Rd Ste 201

City: Tucson

State: AZ

Zip: 85718

Email: kcrawford@tierra-row.com

Phone: 8008870847

Arizona Environmental Online Review Tool Report



Arizona Game and Fish Department Mission

To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

Project Name:

City of Douglas International Port of Entry Connector Road Study

User Project Number:

22EC00-348.01

Project Description:

The purpose of this project is to provide connectivity from the proposed second international port-of-entry (IPOE) near Douglas to the state highway system. The existing IPOE would remain in place to handle pedestrians, buses, and light vehicles. The project will establish new rights-of-way, install utilities, improve the intersection of SR 80 to accommodate oversize trucks, upgrade or construct a connector road to a heavy multi-lane section. Total approximate length of alternative alignments under consideration is 5.47 miles (by 200 feet wide). A portion of SR 80 is included in the study area, approximately 2.5 miles (by 600 feet wide).

Project Type:

Transportation & Infrastructure, Road construction (including staging areas), Realignment/new roads

Contact Person:

Jennifer Jennings

Organization:

Tierra Right of Way Services, Ltd.

On Behalf Of:

OTHER

Project ID:

Please review the entire report for project type and/or species recommendations for the location information entered. Please retain a copy for future reference.

Disclaimer:

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Departments review of site-specific projects.
3. The Departments Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. Arizona Wildlife Conservation Strategy (AWCS), specifically Species of Greatest Conservation Need (SGCN), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

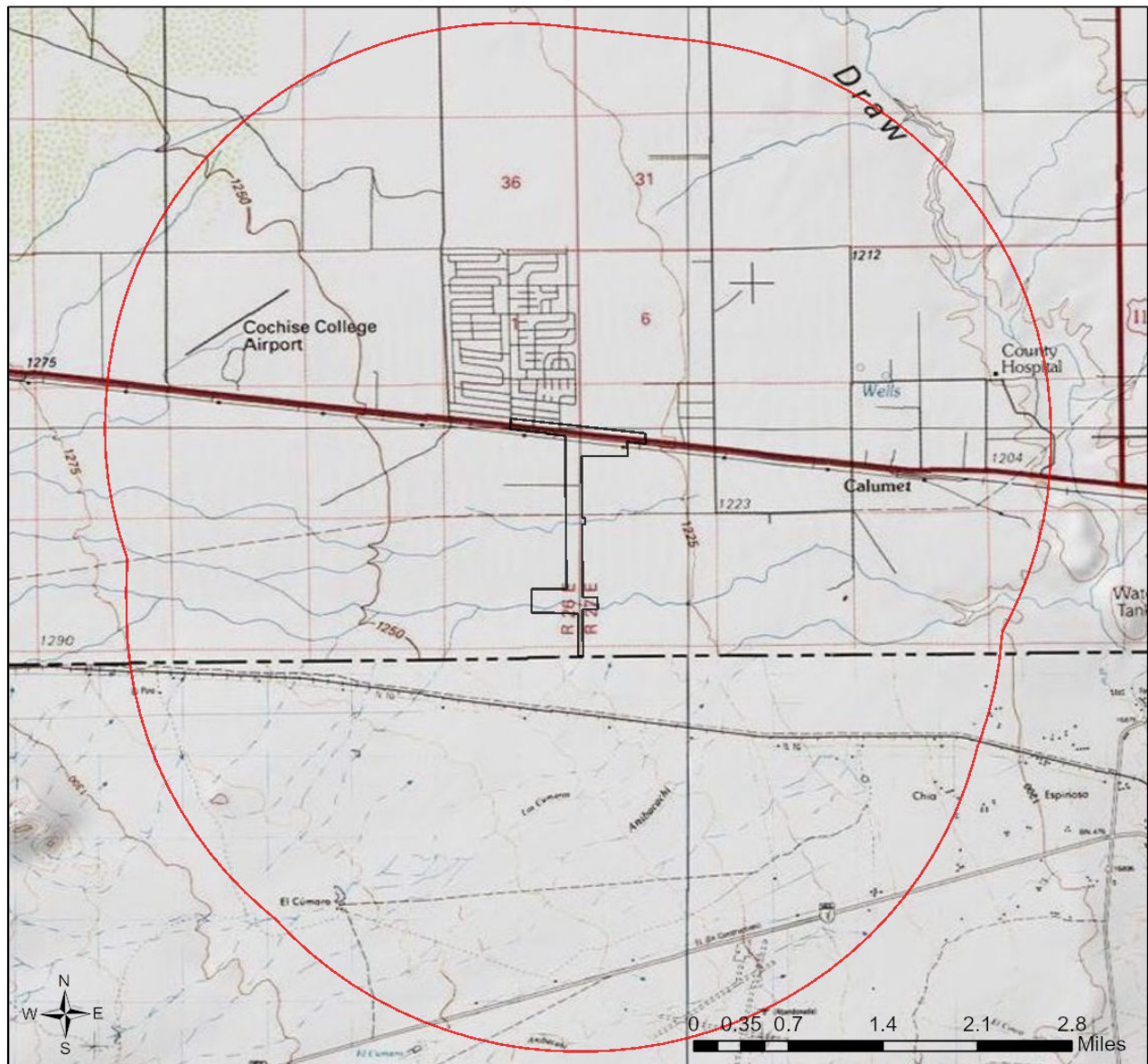
Locations Accuracy Disclaimer:

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

Recommendations Disclaimer:

1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:
Project Evaluation Program, Habitat Branch
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086-5000
Phone Number: (623) 236-7600
Fax Number: (623) 236-7366
Or
PEP@azgfd.gov
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies.

City of Douglas International Port of Entry Connector Road Study USA Topo Basemap With Locator Map



- Buffered Project Boundary
- Project Boundary

Project Size (acres): 227.00

Lat/Long (DD): 31.3502 / -109.6477

County(s): Cochise

AGFD Region(s): Tucson

Township/Range(s): T24S, R26E; T24S, R27E

USGS Quad(s): PAUL SPUR

County of Yavapai, Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS
Copyright:© 2013 National Geographic Society, i-cubed
Esri, USGS



City of Douglas International Port of Entry Connector Road Study

Web Map As Submitted By User



-  Buffered Project Boundary
-  Project Boundary

Project Size (acres): 227.00

Lat/Long (DD): 31.3502 / -109.6477

County(s): Cochise

AGFD Region(s): Tucson

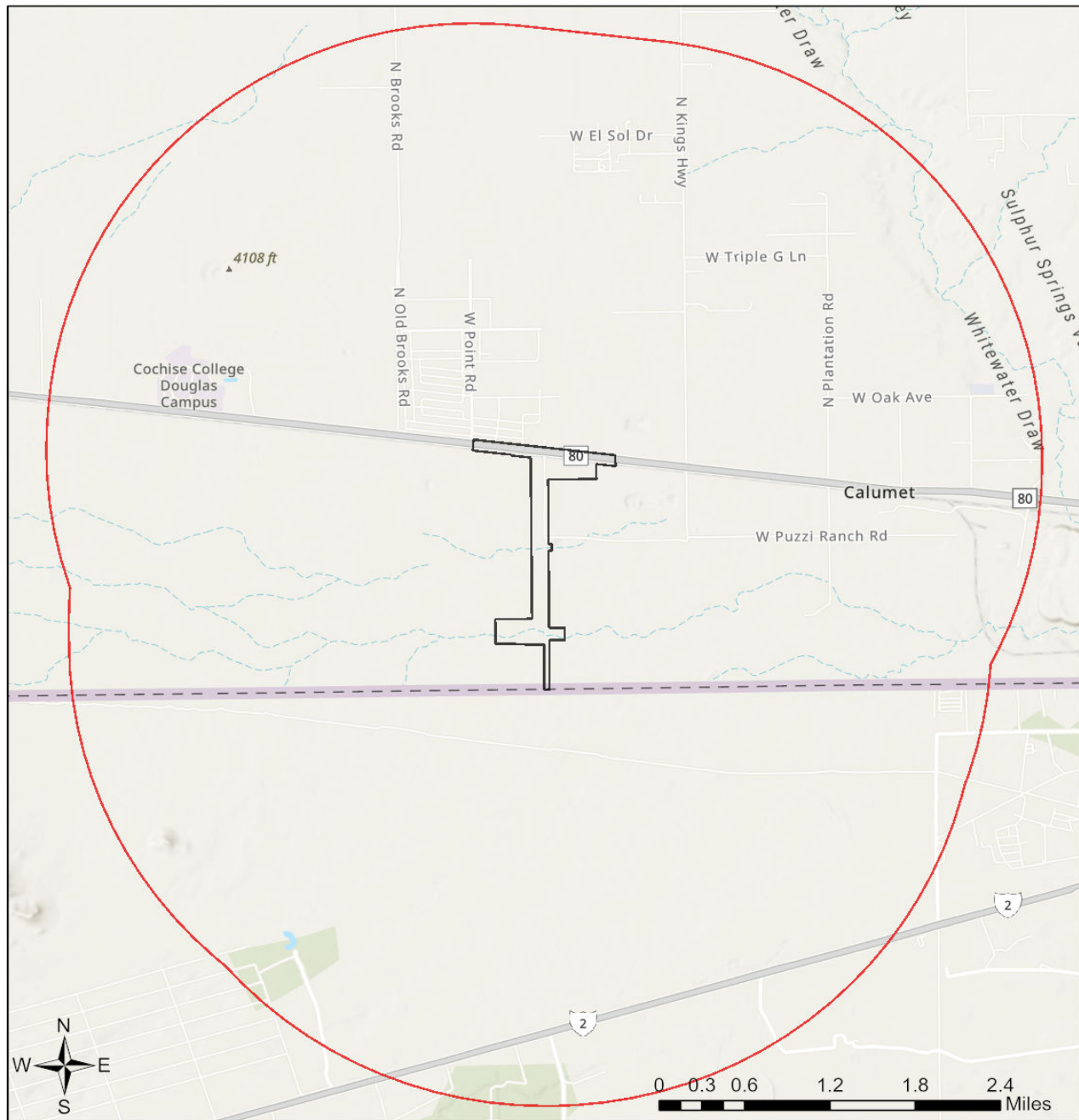
Township/Range(s): T24S, R26E; T24S, R27E

USGS Quad(s): PAUL SPUR

Esri, NASA, NGA, USGS, FEMA

City of Douglas International Port of Entry Connector Road Study

Important Areas

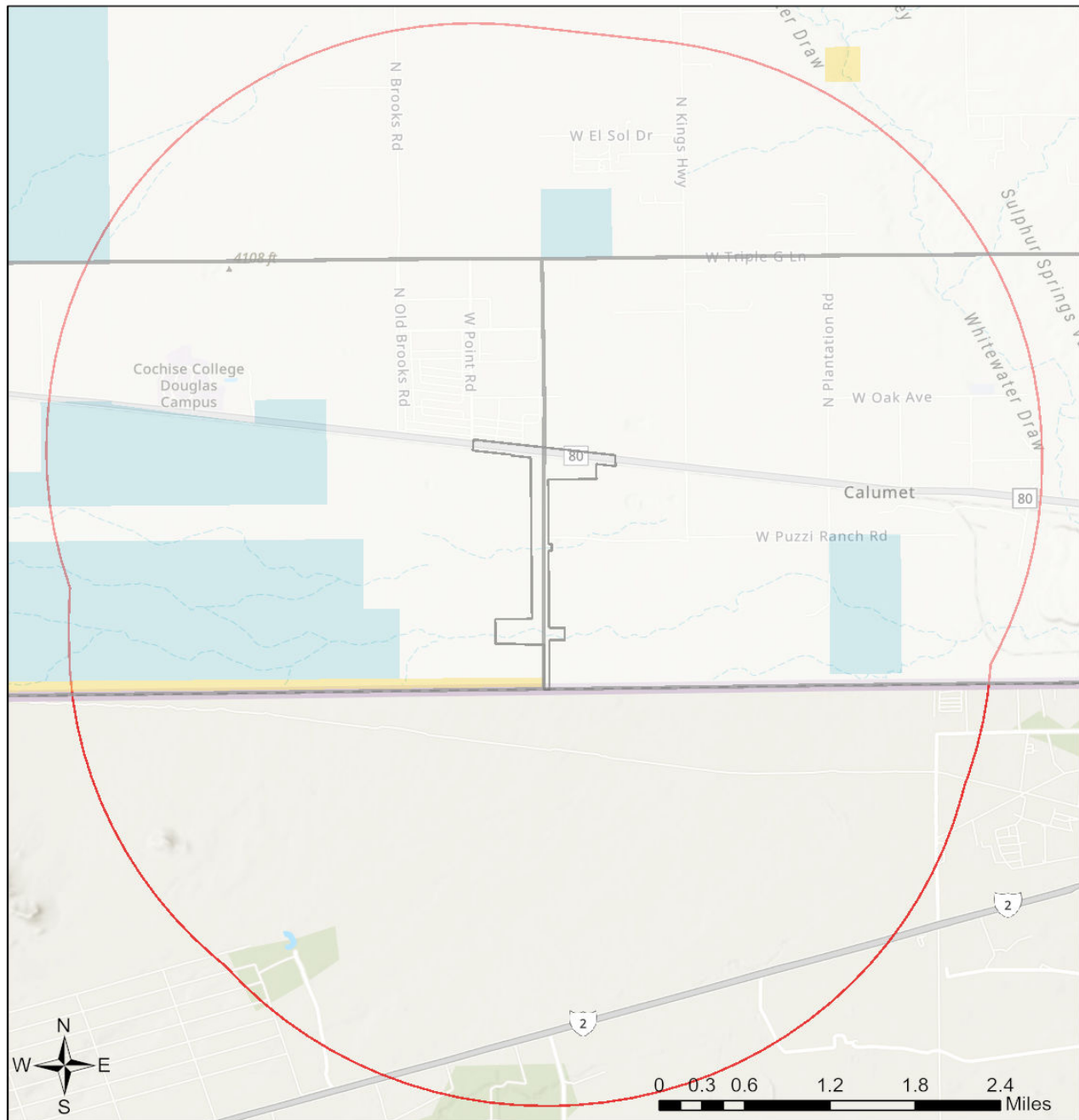


- Buffered Project Boundary
- Project Boundary
- Important Bird Areas
- Critical Habitat
- Pinal County Riparian
- Important Connectivity Zones
- Wildlife Connectivity

Project Size (acres): 227.00
 Lat/Long (DD): 31.3502 / -109.6477
 County(s): Cochise
 AGFD Region(s): Tucson
 Township/Range(s): T24S, R26E; T24S, R27E
 USGS Quad(s): PAUL SPUR

Esri, NASA, NGA, USGS, FEMA
 CONANP, Esri, TomTom, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NASA,
 USGS, EPA, NPS, USDA, USFWS

City of Douglas International Port of Entry Connector Road Study Township/Ranges and Land Ownership



- | | |
|---------------------------|------------------------|
| Buffered Project Boundary | Mixed/Other |
| Project Boundary | National Park/Mon. |
| AZ Game & Fish Dept. | Private |
| BLM | State & Regional Parks |
| BOR | State Trust |
| Indian Res. | US Forest Service |
| Military | Wildlife Area/Refuge |
| | Township/Ranges |

Project Size (acres): 227.00
Lat/Long (DD): 31.3502 / -109.6477
County(s): Cochise
AGFD Region(s): Tucson
Township/Range(s): T24S, R26E; T24S, R27E
USGS Quad(s): PAUL SPUR

Esri, NASA, NGA, USGS, FEMA
CONANP, Esri, TomTom, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NASA,
USGS, EPA, NPS, USDA, USFWS

Special Status Species Documented within 3 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Danaus plexippus	Monarch	C		S		
Incilius alvarius	Sonoran Desert Toad					2
Rana chiricahuensis	Chiricahua Leopard Frog	LT		S		1

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife-conservation/on-the-ground-conservation/state-wildlife-action-plan/state-wildlife-action-plan-status-definitions/>.

No Special Areas Detected

No special areas were detected within the project vicinity.

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Ammodramus savannarum ammolegus	Arizona grasshopper sparrow					
Anthus spragueii	Sprague's Pipit	SC				2
Aquila chrysaetos	Golden Eagle			S		2
Artemisiospiza nevadensis	Sagebrush Sparrow					
Aspidoscelis sonora	Sonoran Spotted Whiptail					2
Athene cunicularia hypugaea	Western Burrowing Owl	SC	S	S		2
Auriparus flaviceps	Verdin					2
Buteo regalis	Ferruginous Hawk	SC		S		2
Buteo swainsoni	Swainson's Hawk					2
Buteogallus anthracinus	Common Black Hawk					2
Calcarius ornatus	Chestnut-collared Longspur					2
Callipepla squamata	Scaled Quail					2
Calypte costae	Costa's Hummingbird					2
Camptostoma imberbe	Northern Beardless-Tyrannulet		S			2
Campylorhynchus brunneicapillus	Cactus Wren					2
Catharus ustulatus	Swainson's Thrush					2
Chordeiles minor	Common Nighthawk					2
Coccyzus americanus	Yellow-billed Cuckoo (Western DPS)					
Columbina inca	Inca Dove					2
Corvus cryptoleucus	Chihuahuan Raven					2
Corynorhinus townsendii pallescens	Pale Townsend's Big-eared Bat	SC	S	S		1
Cynanthus latirostris	Broad-billed Hummingbird		S			2
Cynomys ludovicianus	Black-tailed Prairie Dog	CCA		S		1
Elgaria kingii	Madrean Alligator Lizard					2
Empidonax wrightii	Gray Flycatcher					2
Eumops perotis californicus	Greater Western Bonneted Bat					
Falco mexicanus	Prairie Falcon					2

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Falco peregrinus anatum	American Peregrine Falcon					
Falco sparverius	American Kestrel					2
Heloderma suspectum	Gila Monster					1
Hypsiglena sp. nov.	Hooded Nightsnake					2
Icterus bullockii	Bullock's Oriole					2
Incilius alvarius	Sonoran Desert Toad					2
Kinosternon flavescens	Yellow Mud Turtle					2
Lanius ludovicianus	Loggerhead Shrike	SC				2
Lasiurus blossevillii	Western Red Bat		S			2
Lasiurus cinereus	Hoary Bat					2
Lasiurus xanthinus	Western Yellow Bat		S			2
Leptonycteris yerbabuenae	Lesser Long-nosed Bat	SC				1
Lithobates yavapaiensis	Lowland Leopard Frog	SC	S	S		1
Megascops kennicottii	Western Screech-owl					
Melanerpes uropygialis	Gila Woodpecker					2
Melospiza lincolni	Lincoln's Sparrow					2
Micrathene whitneyi	Elf Owl					
Myotis auriculus	Southwestern Myotis					2
Myotis thysanodes	Fringed Myotis	SC				2
Myotis velifer	Cave Myotis	SC		S		2
Myotis yumanensis	Yuma Myotis	SC				2
Notiosorex cockrumi	Cockrum's Desert Shrew					2
Nyctinomops femorosaccus	Pocketed Free-tailed Bat					2
Nyctinomops macrotis	Big Free-tailed Bat	SC				2
Parabuteo unicinctus	Harris's Hawk					2
Passerculus sandwichensis	Savannah Sparrow					2
Peucaea botterii arizonae	Arizona Botteri's Sparrow			S		2
Peucaea carpalis	Rufous-winged Sparrow					2
Phrynosoma solare	Regal Horned Lizard					2
Poocetes gramineus	Vesper Sparrow					2
Sistrurus tergeminus	Western Massasauga					
Spizella breweri	Brewer's Sparrow					2
Tadarida brasiliensis	Brazilian Free-tailed Bat					
Terrapene ornata	Ornate Box Turtle			S		1
Toxostoma bendirei	Bendire's Thrasher					2

Species of Economic and Recreation Importance Predicted that Intersect with Project Footprint as Drawn

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Callipepla gambelii	Gambel's Quail					

Callipepla squamata	Scaled Quail
Odocoileus hemionus	Mule Deer
Patagioenas fasciata	Band-tailed Pigeon
Pecari tajacu	Javelina
Puma concolor	Mountain Lion
Zenaida asiatica	White-winged Dove
Zenaida macroura	Mourning Dove

Project Type: Transportation & Infrastructure, Road construction (including staging areas), Realignment/new roads

Project Type Recommendations:

Bridge Maintenance/Construction

Identify whether wildlife species use the structure for roosting or nesting during anticipated maintenance/construction period. Plan the timing of maintenance/construction to minimize impacts to wildlife species. In addition to the species list generated by the Arizona's On-line Environmental Review Tool, the Department recommends that surveys be conducted at the bridge and in the vicinity of the bridge to identify additional or currently undocumented bat, bird, or aquatic species in the project area. To minimize impacts to birds and bats, as well as aquatic species, consider conducting maintenance and construction activities outside the breeding/maternity season (breeding seasons for birds and bats usually occur spring - summer). Examining the crevices for the presence of bats prior to pouring new paving materials or that the top of those crevices be sealed to prevent material from dripping or falling through the cracks and potentially onto bats. If bats are present, maintenance and construction (including paving and milling) activities should be conducted during nighttime hours, if possible, when the fewest number of bats will be roosting. Minimize impacts to the vegetation community. Unavoidable impacts to vegetation should be mitigated on-site whenever possible. A revegetation plan should be developed to replace impacted communities.

Consider design structures and construction plans that minimize impacts to channel geometry (i.e., width/depth ratio, sinuosity, allow overflow channels), to avoid alteration of hydrological function. Consider incorporating roosting sites for bats into bridge designs. During construction, erosion control structures and drainage features should be used to prevent introduction of sediment laden runoff into the waterway. Minimize instream construction activity. If culverts are planned, use wildlife friendly designs to mitigate impacts to wildlife and fish movement. Guidelines for bridge designs to facilitate wildlife passage can be found on our Wildlife Friendly Guidelines web page under the Wildlife Planning button, at <https://www.azgfd.com/wildlife-conservation/planning-for-wildlife/planning-for-wildlife-wildlife-friendly-guidelines/>.

Fence recommendations will be dependent upon the goals of the fence project and the wildlife species expected to be impacted by the project. General guidelines for ensuring wildlife-friendly fences include: barless wire on the top and bottom with the maximum fence height 42", minimum height for bottom 16". Modifications to this design may be considered for fencing anticipated to be routinely encountered by elk, bighorn sheep or pronghorn (e.g., Pronghorn fencing would require 18" minimum height on the bottom). Please refer to the Department's Fencing Guidelines located on Wildlife Friendly Guidelines page, which is part of the Wildlife Planning button at <https://www.azgfd.com/wildlife-conservation/planning-for-wildlife/planning-for-wildlife-wildlife-friendly-guidelines/>.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife. Guidelines for many of these can be found

at: <https://www.azgfd.com/wildlife-conservation/planning-for-wildlife/planning-for-wildlife-wildlife-friendly-guidelines/>.

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.

Minimize the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects and pathogens. Precautions should be taken to wash and/or decontaminate all equipment utilized in the project activities before entering and leaving the site. See the Arizona Department of Agriculture website for a list of prohibited and restricted noxious weeds at <https://www.invasivespeciesinfo.gov/unitedstates/az.shtml> and the Arizona Native Plant Society <https://aznps.com/invas> for recommendations on how to control. To view a list of documented invasive species or to report invasive species in or near your project area visit iMapInvasives - a national cloud-based application for tracking and managing invasive species at <https://imap.natureserve.org/imap/services/page/map.html>.

- To build a list: zoom to your area of interest, use the identify/measure tool to draw a polygon around your area of interest, and select "See What's Here" for a list of reported species. To export the list, you must have an account and be logged in. You can then use the export tool to draw a boundary and export the records in a csv file.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (include spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

Based on the project type entered, coordination with State Historic Preservation Office may be required (<https://azstateparks.com/>).

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herpetofauna (snakes, lizards, tortoise) from entering ditches.

Design culverts to minimize impacts to channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Reduce/minimize barriers to allow movement of amphibians or fish (e.g., eliminate falls). Also for terrestrial wildlife, washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found on the home page of this application at <https://www.azgfd.com/wildlife-conservation/planning-for-wildlife/planning-for-wildlife-friendly-guidelines/>.

Based on the project type entered, coordination with Arizona Department of Environmental Quality may be required (<http://www.azdeq.gov/>).

Based on the project type entered, coordination with U.S. Army Corps of Engineers may be required (<http://www.usace.army.mil/>).

Based on the project type entered, coordination with County Flood Control district(s) may be required.

Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly at PEP@azgfd.gov.

Project Location and/or Species Recommendations:

HDMS records indicate that **Chiricahua Leopard Frogs** have been documented within the vicinity of your project area. Please review the Chiricahua Leopard Frog Management Guidelines found at: <https://s3.amazonaws.com/azgfd-portal-wordpress/PortalImages/files/wildlife/planningFor/wildlifeFriendlyGuidelines/FINALLithchirHabitatGdlns.pdf>

HDMS records indicate that one or more **Listed, Proposed, or Candidate** species or **Critical Habitat** (Designated or Proposed) have been documented in the vicinity of your project. The Endangered Species Act (ESA) gives the US Fish and Wildlife Service (USFWS) regulatory authority over all federally listed species. Please contact USFWS Ecological Services Offices at <https://www.fws.gov/office/arizona-ecological-services> or:

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