

Response Matrix for Public Comments Submitted on the Draft Environmental Assessment

Comment Number	Comment Submitted	Response to Comment	Comment
1.	Disposal of Castner Range outside the United States (US) Army - The public has concerns regarding the method of disposal and whether or not portions of Castner Range could be developed by private entities.	Castner Range is a closed artillery training range and is not proposed to be surplused or disposed. It is actively owned and maintained by the Dept. of Defense and this status is not proposed to be changed. A permitting agreement will be in place between the DHS and Fort Bliss for the use of the property. A formal surplus determination has not been made by the DoD or the federal government for Castner Range. Therefore, no formal disposal of the property can occur.	J. Poss Sierra Club G. Williams T. Fulmer J. Sproul
2.	Long-term official Land Use Planning for Castner Range – The public is concerned over the lack of a formal land use or disposal plan for Castner Range.	<p>The US Army classifies Castner Range as a closed artillery training range. A formal surplus or disposal determination has not been made by the DoD or the federal government for Castner Range so a disposal plan cannot be proposed at this time. The DHS has no jurisdiction over Castner Range except for the proposed 45-acre site. DHS has no jurisdiction or authority over developing a formal land use plan for all of Caster Range.</p> <p>Because of the presence of unexploded ordnance throughout the range and the significant costs that would be associated with the clean-up efforts, widespread future use of this area is severely limited. To develop a Land Use Management Plan for the area would require definitive information relating to clean-up efforts (i.e., funding sources, time frames, clean-up standards, etc.) and potential uses of the entire 7,000 acres. This information is not available at this time. Informal plans developed by the state or City of El Paso for incorporating Castner Range into the Franklin Mountains State Park have not been validated to date by the US Army or the Department of Defense. Primary issues relating to clean-up costs and UXO long-term risks have not been resolved in these informal documents</p>	J. Poss Sierra Club R. Sierra, TPW K. Anderson W. Anderson, NPSNM L. Balin, TPW G. Williams J. White, FMWC S. Stack T. Fulmer J. Sproul

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3.	<p>Land Use Conflicts with parklands - Discussion of comments submitted as defined in 40 CFR 1508.27(b) – The public is concerned that the proposed facilities would conflict with the Franklin Mountains State Park.</p>	<p>40 CFR 1508.27(b)(3) states that the following should be considered when evaluating intensity:</p> <p style="text-align: center;"><i>Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.</i></p> <p>Castner Range is an inactive military artillery training area and as such is not classified as a parkland, prime or unique farmland, nor does it possess any wetlands or wild and scenic rivers. Although Castner Range is adjacent to a portion of the Franklin Mountains State Park, the proposed site for the Border Patrol Station is located approximately 2 miles of the nearest park boundary. The region of influence for the proposed action would not impact the Franklin Mountains State Park. Additionally, as determined in the biological analysis and confirmed by the US Fish and Wildlife Service (USFWS), the proposed site does not support critical habitat for any protected or sensitive species. The probability of any protected or sensitive species occurring on site is low (Section 4.2). Therefore, the site is not characterized as an “ecologically critical area”. An archeological survey was performed and Section 106 consultation completed with the THC. Information relating to the findings is discussed in Section 4.9.</p>	<p>W. Anderson, NPSNM J. White, FMWC S. Stack USFWS</p>
4.	<p>Land use conflicts associated with security requirements of the proposed facility – The commenter expressed his concern over the security statement identifying the proposed site as having a greater degree of security for the Border Patrol than the other sites.</p>	<p>Castner Range is a restricted area as a result of the area’s designation as a former artillery training range. Security requirements defined by the proposed action would enhance the safety of El Paso citizens by reducing illegal hiking in the area. Therefore, there would be no change in the security requirements of the proposed site and no conflicts in land use in association with the security requirements defined by the Border Patrol.</p>	<p>W. Anderson, NPSNM</p>

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5.	<p>Fragmentation of Castner Range – 40 CFR 1508.8 (b) – The public is concerned that Castner Range will be parceled out to various organizations and agencies, thus reducing the possibilities of the range to be incorporated into the state park. A precedent for developing Castner Range would be set by the project.</p>	<p>40 CFR 1508.8 (b) states the following:</p> <p><i>Indirect effects, which are caused by the action and are later in time or farther removed in distance, <u>but are still reasonably foreseeable</u>. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.</i></p> <p>There are no reasonably foreseeable development projects for Castner Range. Given the physical barriers as well as the cost of UXO clean-up, further widespread development of Castner Range would be severely limited. Fort Bliss has no formal plans for disposing of Castner Range which inhibits development of the area in the future.</p>	<p>TPWD Sierra Club M. Davis P. Daniggelis T. Dillon K. Anderson W. Anderson, NPSNM L. Balin, TPW G. Williams J. White, FMWC S. Stack J. Sproul</p>
6.	<p>The Fort Bliss, Texas and New Mexico Mission and Master Plan, Section 4.11.3.6, states that Castner Recreational Area (former Caster Range) is now in process of being leased for non-military use without NEPA analysis.</p>	<p>An Environmental Impact Statement was developed (December 2000) for the <i>Fort Bliss, Texas and New Mexico Mission and Master Plan</i>. In the Plan Castner Range is classified as a former artillery training area not a recreational area. The area east of U.S. Highway 54 was originally identified by the Army as a recreational area. This classification was not applied to the area of Castner Range west of U.S. Highway 54.</p>	<p>W. Anderson, NPSNM</p>
7.	<p>Selection of the site prior to the conclusion of the NEPA process – The commenter was concerned that a decision had been made for the use of the proposed site prior to the completion of the NEPA analysis.</p>	<p>The CBP has not selected a site for the proposed Border Patrol Station and Sector Headquarters in El Paso, Texas. The Draft Environmental Assessment identifies a preferred site based on the selection criteria discussed in Section 2 of the document. Site selection will be based on all relevant factors defined in the Environmental Assessment.</p>	<p>Sierra Club</p>
8.	<p>A comment was submitted stating that the storm water retention dam discussed in the Environmental Assessment was identified as Northgate Dam and it was really called Castner Range Dam.</p>	<p>Information collected and review for this effort from the US Army Corps of Engineers relating to the construction and engineering standards for the dam, identifies the structure as Northgate Dam.</p>	<p>P. Daniggelis</p>

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9.	A comment was submitted stating that the on-going unexploded ordnance (UXO) clean-up adjacent to, or near to, the proposed site would create a cumulative impact in relation to the proposed construction activities.	There would be minimal disturbance to the environment from the UXO clean-up. Scattered vegetation exists in this area so disturbance to habitat would be minimal. As a result, cumulative impacts with construction and UXO cleanup would be minimal. The UXO removal would be completed prior to the initiation of the proposed construction activities. Although this would increase the length of the short-term impacts to the area, it would not increase the severity of those impacts.	J. Poss
10.	Current effort to remove UXO from 1200 acres on Castner Range – The public was concerned that the removal of UXO from additional acreage was part of the proposed action.	The effort to implement the surface removal of UXO from 1,200 acres on Castner Range was initiated by the U.S. Army in order to reduce the health and safety risks to the surrounding community. The removal project is not associated with the proposed action.	M. Davis P. Daniggelis
11.	Significant impacts to human environment – quoting statute 42 USC Section 102(2)(C) – A comment was submitted stating that the Environmental Assessment did not comply with this regulation.	As per http://uscode.house.gov 42 USC Section 102 addresses Mental Health Systems and, therefore, is not applicable to this effort.	J. White, FMWC

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12.	Comments were submitted stating that the proposed action would “significantly harm the biological , ecological, cultural and ‘quality of life’ values of the Franklin Mountains”	Impacts to vegetation resulting from the proposed action and alternatives could be considered significant if they resulted in a long-term reduction in sensitive or critical vegetation productivity or a permanent change in composition of those sensitive or critical species. Impacts to wetlands and riparian areas could be considered significant if activities resulted in violation of Section 404 of the Clean Water Act, EO 11988 Floodplain Management, or EO 11990 Protection of Wetlands. Impacts to wildlife resources could be considered significant if they prevent realization of specified population objectives. Any action that results in the disruption of raptor breeding activities and subsequent reproductive failure could be considered a significant adverse impact. Any action that would effect a federally listed threatened or endangered species, a critical habitat, or any recovery program for such species could be considered a significant impact. Any action that could jeopardize a candidate species could be a significant impact. Only 45 acres of the 7,000 acres of Castner Range open space would be developed for the project and this development is proposed between existing development, U.S. Highway 54 and Northgate Dam. Under the criteria used, no significant impacts to biological resources would occur as a result of the proposed action or alternatives.	Sierra Club T. Dillon L. Balin, TPWD J. Sproul G. Ferguson USFWS
13.	Discussion of the poppies on Castner Range – Many comments were submitted that the proposed action would diminish the poppy bloom that occurs on Castner Range.	As per correspondence from Texas Parks and Wildlife and residents in the area, the Mexican poppy display occurs northeast of Site 1.	J. Cataldi L. Balin, TPW J. Hargrave
14.	A comment was submitted identifying Site 2 as being referred to as Hawk Alley and used as a raptor nesting area .	The following discussion has been added to Section 3.2.4 of the EA: <i>Golden Eagles, Red-tailed Hawks, Swainson’s Hawks, and American Kestrels have been observed at Site 2 (TPWD 2003). The site is located in an area often referred to as “Hawk Alley” by local bird watchers. Golden Eagles, Red-tailed Hawks, and Swainson’s Hawks have been known to nest on Site 2 and are considered permanent residents of the area (TPWD 2003). (Note she also said that these species could be seen at Site 1 (no nesting due to trespass restrictions)</i>	L. Balin, TPW

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15.	Castner Range site used by threatened species in Texas – zone tailed hawks – The public is concerned that there are threatened species present on the proposed site.	There is no evidence of raptor nesting on the proposed site. The results of our biological survey and analysis are discussed in Section 4.2.2.1 of the document. The determination was supported by correspondence received from USFWS and Texas Parks and Wildlife.	S. Cutler J. Sproul
16.	A comment was submitted requesting an analysis of alluvial fan habitat /ecosystems outside of Castner Range be completed by the Border Patrol.	Significance criteria for this analysis are discussed in Section 4.0 of this document for each resource area. Evaluation and analysis of alluvial fan systems outside the region of influence (45 acres in the southeast corner of Castner Range) would be outside scope of this effort. DHS has no authority or jurisdiction to analysis the alluvial fan habitat outside the 45 acre project area.	J. White, FMWC
17.	Long-term significant impacts to geology and soils – The public was concerned that the proposed construction activities would significantly impact the soils and geology on Castner Range.	The analysis performed for this effort and the evaluation criteria used to determine significance is discussed in Section 4.3.1 in the Final Environmental Assessment. There would be no significant impact to soils and geology due to the previous scope and scale of disturbances on Castner Range.	R. Sierra, TPW J. Sproul
18.	Concern that the increase in impervious cover at Site 1 could hinder watershed filtration capacity associated with the alluvial fan.	Using a model developed by USEPA and making the assumption that 60% of the 45 acres would be covered with impervious cover, it was estimated that the proposed action would increase stormwater runoff on site by approximately 0.05 of a cubic foot per year (Section 4.4.2). This amount of increase is further reduced by the higher evaporation rate than infiltration rate that is associated with the El Paso area. Additionally according to the TWDB the critical aquifer recharge area lies to the northwest of the site, along the foothills of the Franklin Mountains. As a result, watershed filtration would not be significantly hindered with the proposed project.	USFWS; S. Cutler
19.	The public is concerned that the proposed action would result in significant impacts to the aesthetics of Castner Range	The analysis performed for this effort and the evaluation criteria used to determine significance is discussed in Section 4.10.1 in the Final Environmental Assessment. Additionally, a discussion was added to the final document to further clarify the architectural concepts that would be incorporated into the facility design. These design concepts would ensure that the facilities be constructed in a manner that would be sensitive to the surrounding environmental features.	R. Sierra, TPW T. Dillon K. Anderson J. Cataldi L. Balin, TPW S. Stack G. Ferguson

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20.	Comments were submitted stating that the proposed facilities would obstruct 25% of the view of the Franklin Mountains.	<p>While the area of land proposed for the Border Patrol Station and Sector Headquarters would encompass an area equal to the distance from Hondo Pass Road to Schumaker Street (approximately 6/10 of a mile), the proposed facilities would not obstruct 25% of the view of the mountains. Given the scale of the mountains and the vast open area, the proposed single story buildings would not obstruct or even dominate the view of the Franklin Mountains. Although the facilities would be seen from U.S. Highway 54, the architectural and landscape design of the compound would be sensitive to the surrounding area.</p> <p>Where possible, the following design concepts would be incorporated into the project:</p> <ol style="list-style-type: none"> 1. Preserve all arroyos and natural drainages, 2. Landscape with Franklin Mountain or northern Chihuahuan Desert natives, and 3. Use natural southwestern desert architecture in the development areas. 	L. Balin, TPW S. Cutler J. White, FMWC T. Fulmer
21.	The public is concerned that the proposed facilities would impact the view of proposed site from Gateway or Hondo Pass Roads.	Based on the analysis performed and discussed in Section 4.10.1 of the document, the view of the Franklin Mountains would not be significantly impacted by the single story, architecturally compatible compound (see previous comment response). The compound would not diminish the contrast, arrangement, or scale of the unique features of the area. The views from Hondo Pass Road and Gateway of the proposed facilities would also incorporate views of other developed areas of El Paso. The proposed compound could not compete with the scale of the mountains and open areas, thus would not detract from the beauty of the area. Therefore, the proposed action would not significantly impact the views from these locations.	S. Cutler J. White, FMWC

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22.	A comment was submitted stating that the proposed action would create significant air quality impacts.	Operations at the new facility under the proposed action would remain similar to current operations of the Border Patrol. Given that the proposed action is the relocation of the Border Patrol operations, no net increase or decrease in operational emissions is expected from the implementation of the proposed action. However, due to the potential increase in facility staffing, a negligible change in emissions associated with operational activities for the proposed facility is expected within El Paso County. Any potential increased emissions in the immediate vicinity would be insignificant relative to the background emissions that already occur at the site due to the proximity of U.S. Highway 54.	T. Dillon
23.	A comment was submitted stating that the proposed action would create significant noise impacts.	<p>Noise impact analyses typically evaluate potential changes to existing noise environments that would result from the implementation of a proposed action or alternative. In considering the basis for analysis of noise impacts, several items were examined, including:</p> <ul style="list-style-type: none"> • the degree to which noise levels generated by construction and demolition activities were higher than the ambient noise levels; • the degree to which there is annoyance and/or activity interference; and • the proximity of noise sensitive receptors to the noise source. <p>Using the equipment type with the greatest noise producing potential (bulldozer with an Lp of 88 dBA) and a minimal distance of 200 feet from that source, the noise level would be attenuated to approximately 75 dBA. Sensitive receptors located more than 700 feet from the source would experience a sound intensity of approximately 65 dBA, the approximate Lp of normal speech at a distance of three feet from the source. Those sensitive receptors located less than 700 feet from the source would experience noise levels between 65 and 75 dBA. These noise levels would be temporary in duration and occur during day-light hours. The Federal Interagency Committee on Urban Noise (FICON) guidelines has established compatibility guidelines for specific types of land uses. Noise levels equal to or greater than 65 dB are marginally compatible to incompatible with commercial and business categories (INS 2001).</p>	T. Dillon

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24.	A comment was submitted requesting that a transportation study of the overall level of service of Hwy 54 through the downtown area and expected growth of El Paso be initiated by the Border Patrol.	To implement a growth analysis and comprehensive transportation analysis of Hwy 54 through downtown El Paso would be outside the region of influence for the proposed action and alternatives. Therefore, the requested study would be outside the scope of this effort. However, in recent studies performed by the Texas Department of Transportation in September 2003, U.S. Highway 54 at Loop 375 handles approximately 49,000 average cars annually, while at Dyer Street the highway handles approximately 57,000 average cars annually. If the proposed Border Patrol Station and Headquarters increases the traffic by 300 to 500 cars annually, the increase would only equate to less than 1% of the total traffic volume.	S. Cutler
25.	The public is concerned that there would be impacts to the economy as a result of the CBP getting the proposed property (Castner Range site) for free.	The use of federal lands by another federal agency would not constitute a cost to that agency. However, money would still contribute to the local economy both directly and indirectly from UXO removal at the proposed site. This clean-up cost would equate to some degree to the cost of purchasing non-federal land. Additionally, government cost savings must be implemented by the federal agencies wherever possible. Other indirect (negligible) socioeconomic benefits would be realized by businesses in the area resulting from CBP employees.	T. Dillon TM. Allen
26.	Insufficient discussion of alternatives identified and considered – 40 CFR 1502.14(a) and (b) – The public was concerned that not all of the potential sites in El Paso were identified or analyzed as part of the Environmental Assessment.	Meeting the operations requirements necessary for the El Paso Border Patrol to successfully accomplish their missions, was the foundation of the development of alternatives and the subsequent Market Analysis performed by the US Army Corps of Engineers. Sites identified in the analysis met the fundamental requirements. However, sites eliminated from further consideration, were excluded because they were either not available for use by the Border Patrol or did not meet one or more operational criteria.	K. Anderson G. Williams J. White, FMWC J. Sproul
27.	Discussion of comments submitted as defined in 40 CFR 1502.14(a) – The public was concerned that not all of the potential sites in El Paso were identified or analyzed as part of the Environmental Assessment.	40 CFR 1502.14(a) states that the following should be incorporated when there are reasonably foreseeable alternatives: <i>Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives that were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.</i> The US Army Corps of Engineers performed a rigorous and objective market analysis during the preliminary planning stages of this effort.	W. Anderson, NPSNM J. White, FMWC S. Stack

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28.	Request to include the entire Market Analysis as an Appendix in the EA.	The summary and findings of the Market Analysis has been included in Appendix E. The Market Analysis, as a whole, is a working document under this effort. As such, the analysis can not be included in the EA and is not discoverable under the Freedom of Information Action (FOIA).	J. Sproul
29.	Comments were submitted identifying Biggs Army Airfield as a potential site for the proposed action.	The areas identified on Biggs Army Airfield in the comments received from the public were not offered for use to CBP for the proposed facilities. All land on Biggs is being used by the Department of Defense and is not available for leasing. Additionally, Biggs Army Airfield does not meet the purpose and need for the proposed action because it does not provide direct access to the border and the response time is longer than the other sites. Therefore, the availability of the land for the construction of the proposed Border Patrol facilities would not be a viable alternative to the proposed action.	G. Williams J. White, FMWC S. Stack J. Sproul
30.	A comment was submitted identifying that the elimination of Site 3 due to the close proximity of the site to the new school was discussed in the Market Analysis.	Site 3 has been eliminated from further consideration in the final EA.	J. Sproul
31.	Comments were submitted stating that the document did not discuss the potential expansion needs of the Border Patrol.	The proposed Border Patrol Station and Sector Headquarters defined for this effort would meet the expansion needs currently identified by the CBP in order for their mission requirements. The proposed action was developed to meet the current needs as well as any reasonably foreseeable growth of the agency in the El Paso area. It is not expected that the CBP would need to expand beyond the 45 acres defined in this analysis.	W. Anderson, NPSNM J. White, FMWC

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32.	Comments were submitted stating that there was no examination of impacts of the microwave or other telecommunication towers as part of the proposed action.	As part of the proposed compound a 100-foot communications tower would be constructed adjacent to the equipment room. The tower would be microwave capable and operate at a frequency of 162 to 165 Megahertz. The Institute of Electrical and Electronics Engineers has established maximum permissible exposure (MPE) limits for human exposure in an uncontrolled environment to electromagnetic frequencies from 3 Kilohertz to 300 Gigahertz. An uncontrolled environment is defined by the Institute as the exposure of individuals who have no knowledge or control of their exposure. Given the scale of the mountains, the vastness of the open area, and the frequency of the proposed tower there would be no significant impact as a result of the proposed action.	K. Anderson W. Anderson, NPSNM J. White, FMWC
33.	A comment was submitted recommending that the response letters from the Texas Historical Commission (THC) and cover for Final Archeological Survey Report be included in Appendix B.	The recommendations accepted and documents have been added to the Final Environmental Assessment Appendix B.	D. Beene, THC
34.	A comment was submitted comparing the need to perform an Environmental Impact Statement for the Desalination Project on Fort Bliss for leasing action to the proposed action on Castner Range.	The Department of the Army is preparing an Environmental Impact Statement addressing the proposed leasing of lands in the South Training Areas of Fort Bliss, Texas, for siting, construction, and operation by the City of El Paso, El Paso Water Utilities, of a desalination plant and support facilities. The Army determined that an EIS was the appropriate level of NEPA analysis for the proposed Desalination Project due to the size of the project, its geographic scope, and potential environmental effects associated with disposal of the concentrate resulting from the desalination process. Leasing of land did not in itself require an EIS. The proposed action to construct and operate a Border Patrol Facility on Caster Range is not related to the proposed Desalination Project and is not comparable in size, scope, or potential environmental impacts. Therefore, an EA was determined to be the appropriate level of NEPA analysis for this project.	J. White, FMWC

<p>35.</p>	<p>Response to Comments submitted - Discussion of comments submitted as defined in 40 CFR 1503.4(a)(5) - The public was concerned that the comments submitted during the scoping process were not individually addressed in the Environmental Assessment.</p>	<p>40 CFR Part 1503.4(a)(5) states in reference to an agency preparing an Environmental Impact Statement (EIS):</p> <p><i>An agency preparing a final environmental impact statement shall assess and consider comments both individually and collectively, and shall respond by one or more of the means listed below, stating its response in the final statement. Possible responses are to:</i></p> <ol style="list-style-type: none"> 1. <i>Modify alternatives including the proposed action.</i> 2. <i>Develop and evaluate alternatives not previously given serious consideration by the agency.</i> 3. <i>Supplement, improve, or modify its analyses.</i> 4. <i>Make factual corrections.</i> 5. <i><u>Explain why the comments do not warrant further agency response, citing the sources, authorities, or reasons that support the agency's position and, if appropriate, indicate those circumstances that would trigger agency reappraisal or further response.</u></i> <p>This regulations relates to the development of an EIS and responses to comments received on the draft EIS as published in the final document. This does not relate to comments received during the scoping process. The objective of the scoping process with regards to this effort was to identify all reasonable alternatives to the proposed action and any other issues of concern. This information was incorporated into the development of the Description of the Proposed Action and Alternatives. Those alternatives identified in the scoping process that did not meet the selection criteria were eliminated from further consideration. These alternatives were discussed in Section 2.4 of this document.</p>	<p>W. Anderson, Native Plant Society of New Mexico (NPSNM) J. White, FMWC</p>
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36.	Comments were submitted stating that the perceived Controversy as defined in 40 CFR 1508.27(b)(4) is enough to trigger an Environmental Impact Statement.	<p>40 CFR 1508.27(b)(4) states that the following should be considered when evaluating intensity:</p> <p style="text-align: center;"><i>The degree to which the effects on the quality of the human environment are likely to be highly controversial.</i></p> <p>The controversy surrounding this effort is based on the public’s perception that Castner Range will be fragmented by future development as a result of the proposed Border Patrol Station. There is no evidence to support the perception that future development on Castner Range is pending. There are no formal disposal plans for Castner Range. The barriers to development are: health risks relating to the UXO, costs of clean up and removal of all UXO, and the disposition requirements associated with federally-held real property assets.</p> <p>The second component of controversy surrounding this effort involves the characterization of the area as “ecologically critical”. This perception has not been supported in either the analysis (Section 4.2), or by the US Fish and Wildlife Service’s review of that analysis (Appendix H).</p>	W. Anderson, NPSNM J. White, FMWC S. Stack J. Sproul
37.	Comments were submitted stating that there are conflicts between Section 3.5.1.7 of the INS NEPA Guidebook and environmental analysis.	There is no evidence to support the perception that the construction of the proposed Border Patrol Station and Headquarters is part of a pattern for future development of Castner Range. Additionally, the INS Guidebook is an initial guide or starting point from which the agency evaluated individual projects. These individual projects are evaluated and assessed based on their unique characteristics.	J. White, FMWC S. Stack J. Sproul
38.	A comment was submitted stating that Fort Bliss’ decision to lease the site will also require an Environmental Impact Statement.	Army Regulation 200-2 indicates that the leasing of land is an action “normally requiring an EIS” only if it may lead to “significant changes in land use.” The change in land use from a former bombing range to an administrative and light industrial application would not be a significant land use change. Only 45 acres of the 7,000 acres of Castner Range would be permitted which is not a significant amount.	J. Sproul
39.	Distribution of Draft EA - Comments made that the draft document was not sent to the Franklin Mountains State Park:	The draft EA was sent to Texas Parks and Wildlife and a comment letter was submitted on the project by the park manager of Franklin Mountains State Park dated October 7, 2003.	W. Anderson, NPSNM J. White, FMWC

40.	A comment was submitted stating that the document did not address a Scoping Comment, suggesting that one alternative to the proposed action be to defer any action until comprehensive study of Castner Range is done.	<p>The DHS has no authority to conduct a comprehensive study of Castner Range since Castner Range is under the jurisdiction and control of the DoD. Deferring the proposed action in order to initiate a comprehensive study of Castner Range is not a viable or reasonable alternative to the proposed construction of a new Border Patrol Station and Sector Headquarters. The Border Patrol has an immediate need to construct the proposed station and headquarters.</p>	J. Sproul
41.	A comment was submitted suggesting that the Border Patrol Station be divided from the Sector Headquarters as a viable Alternative	Given the operational efficiencies and cost savings that would be derived from co-locating the two components together, dividing the two facilities would not enable the Border Patrol to successfully accomplishing their expanding mission to provide homeland security. Thus, this alternative was not a viable option to be carried forward.	J. Sproul