

RECORD OF DECISION

Final Environmental Impact Statement (EIS) for the Proposed Modernization of the Bridge of the Americas (BOTA) Land Port of Entry (LPOE), El Paso, Texas

The General Services Administration (GSA) has published a Final EIS for the proposed modernization of the BOTA LPOE. Per the Delegation of Authority, dated November 14, 2024, as Acting Regional Commissioner for GSA's Public Buildings Service Greater Southwest Region, this Record of Decision (ROD) documents my decision related to the alternatives considered/analyzed in the Final EIS. This ROD specifies the components of, and rationale supporting my decision which is based on information, analysis, and significant stakeholder and public involvement as documented in the December 2024 Final EIS. In accordance with the provisions outlined in the Final EIS, I approve and select the Preferred Alternative for implementation. The Preferred Alternative is also the Environmentally Preferred Alternative and is described in the Final EIS as:

Viable Action Alternative 4 – Multi-Level Modernization within the Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port (4 acres - TxDOT) and Elimination of All Commercial Cargo Operations

The Final EIS (and supporting documentation) can be found via the following link:

<https://www.gsa.gov/about-us/gsa-regions/region-7-greater-southwest/buildings-and-facilities/texas-federal-buildings/bridge-of-the-americas-land-port-of-entry/environmental-review>

Introduction/Background

GSA's mission includes the custody and control of federal buildings, including U.S. LPOEs. As part of this mission, GSA designs, constructs, manages, maintains, and retains custody and control of 122 of the 167 U.S. LPOEs, including the BOTA LPOE in El Paso, Texas. The current port processes toll-free inbound and outbound commercial vehicles, non-commercial vehicles (privately-owned vehicles [POVs]), and pedestrian traffic crossing the U.S.-Mexico border, between El Paso, Texas and Juarez, Mexico. The port is operated by the U.S. Department of Homeland Security's (DHS) Customs and Border Protection (CBP).

Within DHS, CBP was created as the single agency responsible for managing, securing, and controlling the Nation's borders to prevent terrorists and their weapons from entering the U.S. CBP unifies and integrates the work, formerly performed by the following three agencies: the U.S. Customs Service, the Immigration and Naturalization Service, and the Animal and Plant Health Inspection Service (APHIS). CBP's priority mission is homeland security, with responsibilities for improving security at and between U.S. ports of entry (POEs), as well as extending the zone of security beyond the physical borders of the U.S. While carrying out its mission, CBP facilitates legitimate trade and travel through the Nation's borders in an effective and efficient manner.

The CBP Land Port of Entry Design Standard (CBP 2023) applies to all LPOEs in the U.S. A LPOE is defined as the facility that provides controlled entry into, or departure from, the U.S. for persons and cargo arriving as commercial, non-commercial, pedestrian, or rail traffic. A LPOE houses CBP and other federal inspection service (FIS) agencies responsible for the enforcement of federal laws pertaining to immigration, drugs, agriculture, wildlife, smuggling, and commerce. The CBP LPOE Design Standard (i.e., the Standard), provides its users with the following:

- Standardized procedures for the planning, programming, budget formulation, design, and construction of new LPOEs or renovations, additions, or alterations to an existing LPOE.
- Technical requirements and criteria for the construction of CBP spaces at the LPOEs.

- Parameters and adjacency guidelines for proper programming and layouts of the LPOEs.
- Applicable authorities that govern the planning and execution of LPOE construction and alterations projects.

The Standard applies to the planning, programming, and construction projects for a LPOE and serves as the primary reference for architect/engineering (A/E) consultants, government agencies, facility operators, transportation lines, and all CBP personnel involved with an LPOE. The use of this Standard, as well as early involvement of stakeholders in the facility development process, ensures a LPOE design that most appropriately reflects the scope of the anticipated operations.

The Standard further identifies the LPOE project stakeholders and applicable codes and regulations, defines operations, describes design concepts, categorizes spaces, and provides specific technical criteria on building materials and systems. The Standard is used to develop planning and programming criteria for inclusion in programs of requirements (PORs), direct execution of design and engineering documentation, inform construction and construction administration stages, and establish project close-out and post-occupancy roles and responsibilities.

Purpose and Need for Action

The purpose of the proposed action is for the GSA to support CBP's mission by bringing the BOTA LPOE facilities in line with current CBP land port design standards (i.e., CBP Land Port of Entry Design Standard [CBP 2023]) and operational requirements while addressing existing deficiencies identified with the ongoing port operations. In order to bring the BOTA LPOE in line with CBP's design standards and operational requirements, action is needed to satisfy the following overriding needs:

- Improve the capacity and functionality of the LPOE to meet future public demand, while maintaining the capability to meet border security initiatives.
- Ensure the safety and security for the employees and the travelling public.
- Improve traffic congestion and safety for travelers and citizens of the City of El Paso.

The existing BOTA LPOE must remain open and operational well into the future to allow CBP to continue to meet its mission requirements on the southern border, and more in particular, in the El Paso, Texas area. As a result of new/updated PORs (mentioned briefly above), the BOTA LPOE, as it currently exists, does not comply with the new/updated standards. As mentioned, the standard is used to develop planning and programming criteria for inclusion in PORs, direct execution of design and engineering documentation, inform construction and construction administration stages, and establish project close-out and post-occupancy roles and responsibilities. In order to satisfy PORs at the port, new/updated square footage requirements are necessary. These new square footages are presented in Section 2.0 of the Final EIS as the operational requirements associated with each viable alternative carried forward for detailed study.

In an effort to satisfy the purpose and need for the proposed action, several goals/guidelines were developed by the GSA to compare and contrast alternative ways of fulfilling the objectives of the proposed action. Those specific goals/guidelines include:

- (1) Comply with the CBP Land Port of Entry Design Standard (CBP 2023) and associated new/updated POR requirements.
- (2) Comply with GSA's Facility Safety and Design Standards.
- (3) Support the growth needs of the CBP, other tenant agencies, and the needs of the local community.
- (4) Provide for increased CBP and tenant efficiencies.
- (5) Improve vehicular and pedestrian traffic flow and processing times.
- (6) Improve the safety of workers and the traveling public.
- (7) Provide any improvements consistent with the goals of stakeholders (when possible).

- (8) Minimize disruption to CBP and other tenant agencies' operations and activities throughout any improvements.
- (9) Minimize the impact to the environment and the local community.
- (10) Provide any improvements in a cost-effective manner.

As Acting Regional Commissioner of GSA's Public Buildings Service, Greater Southwest Region, I have determined that selection of the Preferred Alternative (Viable Action Alternative 4 – Multi-Level Modernization within the Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port [4 acres – TxDOT] and Elimination of All Commercial Cargo Operations) best satisfies the purpose and need for action.

Public Involvement, Scoping, and Agency Coordination Efforts

The NEPA process provided several opportunities for the public to get involved in the proposed BOTA modernization project. During these times, interested and potentially affected parties (i.e., the public and stakeholders, both internal and external) were afforded the opportunity to express their concerns and provide their views regarding:

- The project and its possible impacts on the natural and man/made environment,
- What should be addressed in the analysis (i.e., important issues relevant to the proposal) and evaluation of the proposed action as implemented through selection of a given alternative; and
- The adequacy of the NEPA analysis and documentation of potential impacts in the EIS.

Public participation with respect to decision-making on the proposed action is guided by GSA's implementing procedures for compliance with NEPA. In accordance with GSA NEPA guidance (PBS National Environmental Policy Act NEPA Desk Guide, October 1999), scoping and public involvement for this EIS included multiple meetings/presentations, communications, and workshops with stakeholders, agencies that have an inherent interest in the proposed improvements, and the public. As mentioned earlier, the BOTA LPOE houses several federal and state agencies who have been collectively referred to as "internal stakeholders." Additional stakeholder groups referred to as "external stakeholders" have also been engaged throughout the planning process. These groups represent state, county, and city entities as well as Mexican government entities, trade organizations, and local community groups. Details regarding these outreach efforts are included in the Final EIS.

Alternatives Carried Forward for Analysis in the EIS

As part of initial planning for the proposed modernization of the port, GSA and its stakeholder partners developed four (4) "Possible" Action Alternatives to satisfy the purpose and need for the project:

- Possible Action Alternative 1 – Multi-Level Modernization Primarily within Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port and Additional Land Acquisition (12 acres – 8 TxDOT, 4 El Paso County) to the East
- Possible Action Alternative 2 – Multi-Level Modernization Primarily within Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port and Additional Land Acquisition (14 acres – 5 TxDOT, 9 El Paso County) to the East
- Possible Action Alternative 3 – Multi-Level Modernization within the Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port (8 acres TxDOT) and Elimination of Commercial Cargo Operations
- Possible Action Alternative 4 – Multi-Level Modernization with the Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port and Significant Land Acquisition (36 acres – 12 TxDOT, 24 El Paso County) to the East for Commercial Cargo Operations

The four (4) “**Possible**” Action Alternatives listed above were further evaluated by internal agency stakeholders and resulted in the development of the following “**Viable**” Action Alternatives:

- Viable Action Alternative 1 (originally Possible Action Alternative 1) – Multi-Level Modernization Primarily within Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port and Additional Land Acquisition to the East (Approximately 12 acres – 8 TxDOT, 4 El Paso County)
- Viable Action Alternative 1a – Multi-Level Modernization (High/Low Booths) Primarily within Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port and Additional Land Acquisition to the East (Approximately 12 acres – TxDOT)
- Viable Action Alternative 2 (originally Possible Action Alternative 2) – Multi-Level Modernization Primarily within Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port and Additional Land Acquisition to the East (Approximately 14 acres – 5 TxDOT, 9 El Paso County)
- Viable Action Alternative 3 (originally Possible Action Alternative 4) – Multi-Level Modernization within the Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port and Significant Land Acquisition to the East for Commercial Cargo Operations (Approximately 36 acres – 12 TxDOT, 24 El Paso County)

These “Viable” alternatives were finally subject to a two-tiered evaluation formulated to concentrate on the purpose and need for the proposed action – renovating/updating the BOTA LPOE to bring infrastructure in line with current CBP land port design standards and operational requirements while addressing existing deficiencies identified with the ongoing port operations:

- Tier 1 evaluated whether or not the various alternatives would fully meet the purpose and need selection guidelines.
- Tier 2 evaluated whether or not the various alternatives would result in adverse environmental impacts.

*As a result of this evaluation, Tier 2 took into consideration two final Action Alternatives, as they fully satisfied all the Tier 1 criteria (i.e., the purpose and need for action). These final two Action Alternatives were carried forward for detailed analysis in the EIS. The No Action Alternative did not satisfy the Tier 1 criteria; however, pursuant to NEPA, the No Action Alternative was carried forward as the baseline to which potential impacts of the Action Alternatives could be measured. **The following alternatives were carried forward:***

- No Action
- Viable Action Alternative 1a – Multi-Level Modernization (High/Low Booths) Primarily within Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port (8 acres TxDOT) and Additional Land Acquisition to the East (13 acres – TxDOT) with Potential to Eliminate All Commercial Cargo Operations in the Future.
- Viable Action Alternative 4 – Multi-Level Modernization within the Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port (4 acres - TxDOT) and Elimination of All Commercial Cargo Operations

As Acting Regional Commissioner of GSA’s Public Buildings Service, Greater Southwest Region, I have determined that selection of the Preferred Alternative (Viable Action Alternative 4 – Multi-Level Modernization within the Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port [4 acres – TxDOT] and Elimination of All Commercial Cargo Operations) best satisfies the purpose and need for action.

Existing Environment

Issues addressed or important issues relating to the proposed action were initially identified through internal meetings, scoping and customer input. The issues ultimately studied in detail in the EIS were determined through stakeholder and public scoping meetings. Those issues include:

- Hazardous Materials, Waste, and/or Site Contamination
- Public Services, Infrastructure, and Utilities
- Surface Waters, Drainage, and Floodplains
- Land Use and Zoning (including Visual and Aesthetics)
- Cultural and Historic Resources
- Socioeconomics
- Noise and Vibration
- Traffic (Vehicular and Pedestrian), Transportation, and Parking
- Air Quality (including Gas Emissions)

Environmental Consequences

Significance criteria were developed as a means of estimating or measuring the degree of potential environmental impacts. The significance of impacts was determined systematically by assessing the magnitude (how much) and duration (how long) of a potential impact (Table ROD-1):

Table ROD-1. Environmental Impact Significance Criteria.

Criteria	Magnitude
Significant	Substantial impact or change to a resource that is easily defined, noticeable and measurable, or which exceeds regulatory standards.
Moderate	Noticeable change in a resource occurs but the integrity of the resource remains intact.
Minor	Change in a resource occurs but no substantial impact results.
Negligible	The impact is at the lowest level of detection, barely measurable but with perceptible consequences.
None	The impact is below the threshold of detection with no perceptible consequences.
Duration	
Permanent	Impact would last indefinitely.
Long-Term	Impact would likely last the lifetime of the project.
Short-Term	Impact would last for a short period or portion of the project.

The following table (Table ROD-2) provides a summary of the environmental consequences associated with implementing the proposed action through the selection of the Preferred Alternative (i.e., Viable Action Alternative 4). Each attribute discussed lists two questions. The first question(s) relates specific to a given environmental attribute and results in a Yes, No, or Potential answer. The second question addresses the likelihood of anticipated impacts and if present, the duration and nature of the likely impact – either Beneficial or Adverse.

Table ROD-2. Summary of Preferred Alternative Impacts.

Environmental Attributes (Threshold Criteria)	Alternative 4 Impact (Magnitude and Duration)
Hazardous Materials, Waste, and/or Site Contamination	
Results in significant hazardous materials and/or waste generated, transported, and/or disposed of as a result of construction and/or operational activities? Any anticipated impacts?	No, None ¹
Existing hazardous materials, waste, or site contamination issues present and if so, have been investigated/ remediated to appropriate standards for future use of the site? Any anticipated impacts?	No, None

1 – Based on environmental commitments associated with implementation (see Section 2.6.3 in the Final EIS).

Table ROD-2 (cont.). Summary of Preferred Alternative Impacts.

Environmental Attributes (Threshold Criteria)	Alternative 4 Impact (Magnitude and Duration)
Public Services, Infrastructure, and Utilities	
Results in significant demand on existing public services, infrastructure, and/or utilities? Any anticipated impacts?	No, None
Results in significant disruption to existing public services, infrastructure, and/or utilities? Any anticipated impacts?	No, Potential – Negligible/Minor Short-Term Negative ¹
Allows GSA and the public to realize the energy efficiency benefits associated with modernization of the port and sustainable building/infrastructure design (see Section 1.6.3.5). Any anticipated impacts?	Yes, Minor/Moderate Long-Term Beneficial Impacts and Negligible/Minor Short-Term Adverse Impacts ¹
Surface Waters, Drainage, and Floodplains	
Results in significant impacts to surface water features including wetlands and/or waters of the U.S? Any anticipated impacts?	No, None ¹
Results in significant stormwater run-off in excess of that regulated by federal, state, and/or local code/ordinance? Any anticipated impacts?	No, None ¹
Results in development within the defined 100-year flood zone? Facility is a designated Critical Action Facility? Any anticipated impacts?	No, None ²
Land Use and Zoning (including Visual and Aesthetics)	
Results in conflict with existing and/or planned land use of the site? Any anticipated impacts?	No, None
Results in conflict with existing and/or planned land use of the immediate surrounding area? Any anticipated impacts?	No, None
Would be in conflict with prevailing zoning designations? Any anticipated impacts?	No, None
Results in visual/aesthetic impacts not consistent with surrounding land use? Results in a perceived visual impact to residents, visitors, or others in the area? Any anticipated impacts?	Yes, Minor Short-Term Negative (construction), Minor-Moderate Long-Term Beneficial (new facilities), Moderate Long-Term Beneficial (immediate elimination of truck traffic) ³
Cultural Resources	
Results in significant effects to archaeological resources (buried historic resources)? Any anticipated impacts?	No, None ¹
Result in significant effects to historic districts and/or architectural properties (built historic resources)? Any anticipated impacts?	No, None ¹
Results in significant effects to Tribal religious or cultural resources? Any anticipated impacts?	No, None

1 – Based on environmental commitments associated with implementation (see Section 2.6.3 in the Final EIS).

2 – See Appendix G in the Final EIS for CBP Critical Action Facility designation.

3 – The current negative visual impact of commercial traffic at and around the BOTA LPOE would be immediately eliminated, however, that moderate impact would likely shift to one or more of the other nearby ports.

Table ROD-2 (cont.). Summary of Preferred Alternative Impacts.

Environmental Attributes (Threshold Criteria)	Alternative 4 Impact (Magnitude and Duration)
Socioeconomics	
Result in significant change to area population and housing? Any anticipated impacts?	No, Short-Term Negligible, Long-Term Negligible
Results in significant change in area employment, unemployment, and/or income? Any anticipated impacts?	No, Short-Term Minor Beneficial, Long-Term Minor Beneficial
Results in significant change to area businesses/ revenue as a result of purchasing, rentals, etc? Any anticipated impacts?	No, Short-Term Minor Beneficial, Long-Term Minor Beneficial
Results in a significant change to community services? Any anticipated impacts?	No, Short-Term Minor Adverse
Results in a significant change to perceived quality of life? Any anticipated impacts?	No, Short-Term Minor to Moderate Adverse, Long- Term Minor Adverse and Minor to Moderate Beneficial
Noise	
Would be in conflict with prevailing local noise ordinances? Any anticipated impacts?	No, None ¹
Results in unacceptable short-/long-term noise levels to workers or port personnel? Any anticipated impacts?	Yes, Short-Term Negligible Adverse Construction ¹
Results in unacceptable short-/long-term noise levels to visitors or pedestrian travelers? Any anticipated impacts?	Yes, Short-Term Negligible Adverse Construction ¹
Results in unacceptable short-/long-term noise levels to nearby sensitive receptors? Any anticipated impacts?	Yes, Short-Term Negligible Adverse Construction ¹ Yes, Long-Term Moderate to Significant Beneficial (Immediate Elimination of Truck Traffic)
Results in vibrations that could affect nearby sensitive receptors? Any anticipated impacts?	No, None ¹
Traffic (Vehicular and Pedestrian), Transportation and Parking	
Would result in a change in vehicular traffic congestion, delays, or safety risks on roadways? Any anticipated impacts?	Yes, Negligible-Minor Short-Term Adverse (Construction) ¹ Yes, Moderate to Significant Long-Term Beneficial (elimination of truck traffic)
Would result in change in the LOS on roadways? Any anticipated impacts?	No, Minor-Moderate Long- Term Beneficial
Would result in change in the operating capacity of the LPOEs? Any anticipated impacts?	No, Minor-Moderate Long- Term Beneficial
Would result in change in pedestrian and bicycle activity? Any anticipated impacts?	No,

	Minor- Long-Term Beneficial
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1 – Based on environmental commitments associated with implementation (see Section 2.6.3 in the Final EIS).

Table ROD-2 (cont.). Summary of Preferred Alternative Impacts.

Environmental Attributes (Threshold Criteria)	Alternative 4 Impact (Magnitude and Duration)
Air Quality	
Results in a short-term increase above de minimis standards or causes an exceedance or violation of prevailing NAAQS? Any anticipated impacts?	No, None ¹
Results in a long-term increase above de minimis standards or causes an exceedance or violation of prevailing NAAQS? Any anticipated impacts?	No, None ¹
Results in short- or long-term public/community health or other related environmental impact? Any anticipated impacts?	Yes, Long-Term Moderate-Significant Beneficial Impact (Immediate elimination of truck traffic)
Results in short- or long-term impacts as a result of Regional NOx and/or VOC increases? Any anticipated Impacts?	Yes, Long-Term Negligible to Minor Beneficial
Results in GHG emissions above established standards? Any anticipated impacts?	No, None

1 – Based on environmental commitments associated with implementation (see Section 2.6.3 in the Final EIS).

Avoidance, Minimization, and Mitigation Measures

As part of implementing the Preferred Alternative (i.e., Action Alternative 4), the GSA is committed to ensuring the implementation of all practicable means of avoiding, minimizing, or mitigating any impacts to the greatest extent practicable. Methods to be employed as a part of implementing the action that address short-term demolition/construction activities and long-term operational impacts (as necessary) are described in detail in Section 2.6.3 of the Final EIS.

The Decision

As Acting Regional Commissioner of GSA’s Public Buildings Service Greater Southwest Region, it is my decision to approve the Preferred Alternative - Viable Action Alternative 4 (Multi-Level Modernization within the Existing Port Boundaries with Minor Land Acquisition Immediately Adjacent to the Port [4 acres – TxDOT] and Elimination of All Commercial Cargo Operations) for implementation as described in the Final EIS.

Environmentally Preferred Alternative

The environmentally preferable alternative is the alternative that best promotes the national environmental policy expressed within NEPA. In general, this refers to the alternative that would result in the least damage to the environment and best protects the natural, cultural, and man-made resources. As stated earlier, based on the analysis presented in the Final EIS, the environmentally preferable alternative is the alternative chosen by me for implementation – Viable Action Alternative 4.

Rationale for Implementing the Preferred Alternative

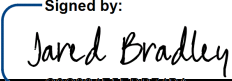
My decision to approve implementation of Action Alternative 4 (i.e., the Preferred Alternative) is based on:

- Balancing likely adverse impacts (both short- and long-term) to the City of El Paso, El Paso County, the communities, residents, and citizens in the immediate vicinity of the BOTA LPOE and those near the other LPOEs that would likely receive commercial cargo traffic in the future.
- The likely impacts (both short- and long-term) to the overall trucking/trade industry in the region.
- The need to support CBP’s mission by bringing the BOTA LPOE facilities in line with current CBP land port design standards (i.e., CBP Land Port of Entry Design Standard [CBP 2023]) and operational requirements while addressing existing deficiencies identified with the ongoing port operations.
- The overall need to improve the operational efficiency, effectiveness, security, and safety for the CBP staff and cross-border travelers at the BOTA LPOE.

This decision likewise takes into account concerns voiced by the public which are primarily centered around commercial truck traffic at the port and the associated noise and air quality impacts to nearby residents. GSA’s data collection and analysis as presented in the Final EIS, demonstrates that there are likely existing environmental impacts in the vicinity of the BOTA LPOE. These largely relate to traffic (primarily commercial truck traffic) and the resulting effect on both local and regional air quality and increases in noise. Furthermore, GSA’s data collection and analysis indicates that should the No Action Alternative or Action Alternative 1a be chosen for implementation, these existing conditions would likely degrade further over time. GSA’s data collection and analysis for Action Alternative 4 results in no furtherance of any existing impacts and represents a likely positive move in correcting these conditions over time.

My decision is supported by GSA and consultant subject matter experts recommending approval and as reviewed by GSA Regional Counsel. I reached this decision after careful consideration of the environmental analysis of the action alternatives and the No Action Alternative as described in the Final EIS.

Record of Decision Approval

Signature:	<div>Signed by:  C0C864F5EDB74BA...</div>	4/25/2025
	Jared Bradley Acting Regional Commissioner Greater Southwest Region Public Buildings Service General Services Administration	Date