

DEPARTMENT OF STATE

[Public Notice No. 3109]

Office of Mexican Affairs; Notice of Issuance of a Finding of No Significant Impact (FONSI) With Regard to the Issuance of a Presidential Permit for the Anzalduas International Crossing, McAllen, Texas

AGENCY: Department of State.

SUMMARY: Notice is hereby given that the Department of State has issued a Finding of No Significant Impact (FONSI) on the human environment for the Anzalduas International Crossing project sponsored by the Cities of McAllen, Hidalgo and Mission, Texas. An initial draft of the environmental assessment of the proposed Anzalduas International Crossing was prepared by Half Associates, Inc.; Gutierrez, Smouse, Wilmut and Associates, Inc.; together with Dr. Michael E. Tewes, Mr. Joe Idecker and Dr. John Keller for the sponsors, the Cities of McAllen, Hidalgo and Mission, Texas.

Both the draft Environmental Assessment and the draft Final Environmental Assessment of the Department of State (Draft Final EA) have been reviewed by numerous federal and state agencies. Each such "cooperating agency" has approved or accepted the draft Final EA, provided, in certain cases, that mitigation recommendations are followed. These cooperating agencies are:

U.S. Government: The Immigration and Naturalization Service, U.S. Customs Service, Department of Agriculture, General Services Administration, United States Section of the International Boundary and Water Commission, Department of Transportation, Department of the Interior, U.S. Coast Guard, Environmental Protection Agency, Food and Drug Administration, Federal Emergency Management Administration, Department of Defense and Department of Commerce.

State of Texas: Texas Natural Resource Conservation Commission, Department of Public Safety, General Land Office, Texas Historical Commission, Texas Department of Transportation, Texas Parks and Wildlife Department, Lower Rio Grande Valley Development Council and Office of the Secretary of State.

Based upon the Department's independent review of the Draft EA, the Final EA, comments received during their preparation and comments received by the Department from federal and state agencies including measures which are proposed to be taken to

prevent or mitigate potentially adverse environmental impacts which the Sponsors intend to take, the Department has concluded that issuance of a Presidential Permit authorizing construction of the proposed Anzalduas International Crossing, as proposed to be constructed in Road Alternative # 3 as set forth in the Final Environmental Assessment, would not have a significant impact on the quality of the human environment within the United States. Accordingly, a finding of no significant impact is adopted and an EIS will not be prepared.

ADDRESSES: Copies of the Presidential Permit may be obtained from Mr. David E. Randolph, Coordinator, U.S.-Mexico Border Affairs, Office of Mexican Affairs, Room 4258, Department of State, Washington, D.C. 20520, telephone (202) 647-8529. A copy of the Department's Final Environmental Assessment is available for inspection in Room 4258 of the Department of State during normal business hours.

SUPPLEMENTARY INFORMATION: The proposed action is to issue a Presidential Permit to the Cities of McAllen, Hidalgo and Mission, Texas, for the construction, operation and maintenance of an international vehicular and pedestrian bridge, its approaches and facilities at the international boundary between the United States and Mexico, southwest of McAllen, Texas, and adjacent to Reynosa, Tamaulipas, Mexico (the proposed "Anzalduas International Crossing").

Factors Considered

The Department in this case considered four roadway crossing construction alternatives. It should be noted that each alternative contemplates initial construction of a four-lane road with ultimate build-out to eight lanes. The draft Final Environmental Assessment was prepared with this information in mind. The alternatives are described in detail in the draft Final Environmental Assessment and in summary fashion as follows:

Road Alternative #1: This alternative comprises building a four-lane access road and bridge to a Border Station, assumed to be constructed on fill, immediately south of the Banker Floodway. Beyond the Border Station, a four-lane approach road at grade would be built to the main channel of the Rio Grande, and a four-lane international bridge elevated over the main channel.

Road Alternative #2: This alternative comprises a four-lane access road and bridge to an identical Border Station location for Road Alternative # 1. South

of the Border Station, the road to the Rio Grande is entirely on structure using the four-lane international bridge section throughout. The length of this proposed bridge structure is approximately 4,800 feet.

Road Alternative #3: This alternative comprises a four-lane access road to a Border Station located approximately 1,000 feet north of the Banker Floodway. South of the Border Station, the roadway is to be constructed with four roadway lanes and a sidewalk on one side for the entire segment south to the Rio Grande. This segment is to be comprised of 2,200 feet of bridge across the Old Military Highway and the Banker Floodway (identical to the international bridge section), 6,100 feet of approach road at grade south of the Floodway and 700 feet of international bridge to the center of the Rio Grande main channel.

Road Alternative #4: This alternative is identical to Road Alternative # 3, except that with respect to this alternative, the road remains on structure from the south edge of the Border Station all the way to the Rio Grande. The road segment south of the Border Station is therefore 9,000 feet of international bridge.

Other Alternatives: Two other alternative options are addressed in the Final Environmental Assessment: (a) a no-action/no-build option; and (b) a mass transit option. The Department has considered each of these options as an alternative to construction of the Anzalduas International Crossing and has determined that neither is feasible.

In considering option (a), the no-action/no-build alternative, and option (b), the option of Sponsors providing expanded public transportation services between the cities of McAllen, Texas, and Reynosa, Mexico, the Department notes the continuing increase in traffic, including commercial truck traffic, on existing bridges in the general vicinity of the proposed Anzalduas International Crossing.

The Department further notes the significant and growing need for effective transportation of people, goods, and services between the United States and Mexico. (Between 1994 and 1998, the value of U.S. trade with Mexico nearly doubled, from \$100.3 billion to \$173.7 billion.) In the longer term, trade with Mexico is likely to continue to increase as a result of the increase in "maquiladoras" located in the vicinity of the sponsoring cities across the international boundary in Mexico. Reynosa is now one of the most successful cities along the northern Mexico frontier in attracting new maquiladora plants.

No action would likely result in saturation of the existing Hidalgo-Reynosa International Bridge causing worse delays and gradual deterioration of trade in the area. The Hidalgo-Reynosa International Bridge, heavily congested during many hours of each day, ranks among the top of all Texas border crossings with more than 40,000 vehicular crossings (two-way) on an average day. The preferred regional action is to move through traffic and commercial traffic away from the center of Reynosa, out to the Pharr International Bridge on the east and to the Anzalduas International Crossing on the west. The no-action/no-build alternative would force a significant portion of the cross-border trips to travel through the crowded downtown Reynosa street system or else divert up to ten miles to cross at the Pharr International Bridge. The diversion to Pharr could result in extra travel on the order of 30 million vehicle miles per year, with gradually worsening effects thereafter. The no-action/no-build alternative is believed to be detrimental to the region in terms of economic development, energy use and particularly air quality. The increased convenience offered by the new crossing capacity in the area is expected to alleviate these problems.

The provision of mass transit services for the existing international bridges would not meet projected commercial, non-passenger demands. There is currently mass transit offered at the existing Hidalgo-Reynosa International Bridge, which services some 80,000 commuters per month between Reynosa and downtown McAllen. The congestion at Hidalgo remains in spite of the use of mass transit, and the need for the Anzalduas crossing would not be removed by the mass transit proposal. The proposed Anzalduas International Crossing could have a beneficial effect on existing mass transit use in the area because it will reduce delays at the existing Hidalgo-Reynosa International Bridge. The resulting improvement in the frequency and speed of bus service may lead to increased use of this service. In sum, increasing population, urbanization, and commerce in the McAllen, Hidalgo and Mission, Texas/Reynosa, Mexico, area mean that existing problems of traffic congestion, including those caused by commercial traffic, would likely negatively affect the environmental quality of the area if the additional route provided by the Anzalduas International Crossing were not provided.

Road Alternative #3 is the Sponsors' preferred alternative. It differs from Road Alternative #4 only with respect to

proposed road construction south of the Banker Floodway. Road Alternative #3 initially contemplates a four-lane at-grade approach road while Road Alternative #4 would be constructed entirely on an elevated structure. Otherwise, and particularly with respect to potential environmental impacts, there is no significant difference between the two alternatives provided that agreed-upon mitigation measures with respect to Road Alternative #3 are taken. Since Road Alternative #3 was the Sponsors' preferred choice due to its substantially lower cost, a more detailed assessment of Road Alternative #4 was not considered necessary. Road Alternatives #1 and #2 involve filling in the flood plain of the Rio Grande and elicited a particularly negative response, based in part on environmental concerns, from federal agencies including the United States Section of the International Boundary and Water Commission (IBWC) and the Fish and Wildlife Service (FWS). Therefore, these Road Alternatives were not further evaluated.

Summary of the Assessment of the Potential Environmental Impacts Resulting From the Proposed Action

The Final Environmental Assessment provides information on the environmental effects of the alternatives outlined above regarding the placement of the Anzalduas International Crossing, and "no-action/no-build" and mass transit alternatives. On the basis of the Final Environmental Assessment, the Department makes the following determinations regarding the potential environmental impacts of Road Alternative #3, the preferred alternative.

Air Quality: This project is in an area that is in attainment of the National Ambient Air Quality Standards (NAAQS). A microscale analysis for Carbon Monoxide (CO) found that anticipated CO concentrations are less than the established CO standards of 35 parts per million (ppm) and 9 ppm for one and eight hour periods, respectively. The maximum anticipated CO concentration for the year 2014 is 36% for one hour and 60% for eight hours of the CO level of NAAQS. The impact on air quality from this project will not be significant.

While there is potential during the construction phase for any of the alternatives involving new construction to adversely affect air quality in the short term from fugitive dust emissions in and around the construction site due to construction operations, these effects may be mitigated by requiring contractors to minimize exhaust emissions through emissions control

devices, using tarp covers on trucks transporting refuse and construction waste products on-site, wetting unpaved roadways, prohibiting any open burning of construction waste products on-site, and limiting unnecessary idling of construction vehicles. Restoration of the site by introducing grass and other brush-type plantings would further minimize fugitive dust emissions.

Surface Hydrology: Development of the Anzalduas International Crossing will result in an increase in storm water runoff due to the increase in impervious surfaces. The construction of the proposed project will adhere to the applicable portions of the McAllen/Mission surface drainage criteria for the collection and discharge of runoff so as to not adversely impact downstream properties. Long-term adverse impacts to surface waters are not anticipated due to the proposed project.

River Channel and Floodplains: The proposed Border Station will be sited outside the Rio Grande flood plain, consistent with E.O. 11988 regarding a National Policy on Flood Plain Management which requires federal agencies to "avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of flood plains. . . ." The improvements result in zero rise in the upstream water surface and no loss of valley storage in the segment.

Embankments required for the bridge approaches between the Rio Grande and the Banker Floodway will be constructed with earth borrowed from the road right-of-way within the floodway. No new fill dirt will be imported into the floodway and the roadway will be designed to balance the existing conveyance within the floodway. A computer hydraulic analysis performed by the Sponsors indicates that the project should result in no adverse deflection or obstruction of the normal or flood flows of the Rio Grande. However, approval by the IBWC will be considered only after it receives conceptual plans from both the U.S. and the Mexican sponsors covering project components in the United States and Mexico.

Water Quality: The construction phase of the Anzalduas International Crossing may lead to minor temporary impacts on water quality. Existing water lines and sanitary sewer lines would be extended to serve the project site from the Cities of Mission and McAllen. Construction of the Crossing and related facilities will include measures to prevent sediments from entering the adjacent waterways. Refuse and wastes from demolition and excavation will be contained and hauled offsite to a

suitable place of disposal. Trucks will be routed and unloaded so as to prevent materials and debris from spilling into waterways. A storm water retention pond approximately 250 feet by 150 feet will be constructed south of the north abutment of the Rio Grande bridge that is designed to intercept and retain runoff from the bridge deck so as to contain contaminants or spills. A pipe drainage system will be constructed in the bridge superstructure in order to carry storm water to the pond.

Hazardous Wastes: The proposed project is not located on or near any known hazardous waste facilities and will not generate any hazardous wastes. No mitigation is required. The proposed Border Station will contain a hazardous waste containment unit in the truck dock area that would provide temporary storage of hazardous waste if a spill occurred. The international bridge is drained in a contained system back to a retention pond near the north abutment. This pond would provide temporary storage of hazardous waste if a spill occurred on the bridge deck.

Historical and Archeological Resources: The Texas Archaeological Research Laboratory determined that there are no recorded archaeological sites located in the project area. An archaeological and historical reconnaissance survey and shovel testing carried out at the direction of the Texas State Historic Preservation Office found no evidence of archaeological or historic features in the project area. An unmarked cemetery may exist in the vicinity of the entrance to Anzalduas County Park, well to the west of the project site. The La Lomita Historic District, which is listed on the National Register of Historic Places, is also located to the west and outside of the project site.

Land Use and Local Development Impacts: The majority of the land in the project area is used for agriculture and is unincorporated. The Cities of Mission and McAllen have extraterritorial boundaries that extend into the area; the Cities are cooperating in the development of a land use master plan. The City of Granjeno is located north of the bridge site and comprises approximately 90 homes; three other homes in the area are surrounded by farmland. The FWS owns several tracts of land along the Rio Grande which comprise a wildlife corridor. Anzalduas County Park is owned by Hidalgo County on land acquired as part of the Anzalduas Dam and Banker Floodway flood control projects.

The construction of the Border Station will require the displacement of two single-family homes located in

agricultural fields. The Border Station and roadway will impact approximately 236 acres of cultivated fields; the Border Station will be located approximately 1,000 feet northwest of Granjeno.

The City of McAllen, under the city's property acquisition and relocation assistance policy, will compensate the property owners being displaced by the Border Station. The Border Station will be designed and constructed to minimize impacts to Granjeno; a large landscaped berm will be constructed along the east side of the Border Station property to shield the facility. A 500-foot-wide open space buffer will be preserved between the Border Station and Granjeno.

Threatened and Endangered Species: The FWS has identified four federally-listed endangered species that may be present in the project area: the jaguarundi, ocelot, northern aplomado falcon and Walker's manioc. The Sponsors have developed a detailed "Endangered Species Plan" in consultation and coordination with FWS to ensure that the bridge will not affect the federally-listed wildlife species known to exist in the Rio Grande Floodway corridor. Three large wildlife underpasses will be constructed at agreed locations under the at-grade segment of the roadway.

The Plan also includes the leasing of 160 acres of land located to the east of the proposed bridge to the FWS for \$1.00 per acre to allow revegetation of farmlands. The initial lease of the land to the FWS will revert to a donation when traffic begins to cross the Anzalduas International Bridge. The Sponsors will execute payment of \$50,000 to the FWS for expenses associated with revegetation after diplomatic notes have been exchanged between the United States and Mexico authorizing bridge construction to begin.

The Sponsors will grant Conservation Easements to the FWS covering a 400-foot-wide strip adjacent to the Rio Grande, a 60-foot-wide strip of land along the western edge of the right-of-way south of the Banker Floodway, and 1.6 acres of unused land under the proposed Banker Floodway Bridge. The Sponsors will also construct a stormwater retention pond south of the north abutment of the international bridge and three large wildlife underpasses under the at-grade segment of the roadway. The revegetation activities should not impede the conveyance of normal or flood flows in the river and its floodplain. Such activities will be considered in the same understandings as in *River Channel and Floodplains* (page 6 of the FONSI)

regarding the deflection or obstruction these may present.

Traffic Noise: Construction noise is difficult to predict. Provisions should be included in the plans and specifications that require the contractor to make every reasonable effort to minimize construction noise through abatement measures such as work-hour controls, proper maintenance of equipment muffler systems and usage of noise-controlled construction equipment. An analysis of the existing and future traffic noise levels indicates that the proposed project will not result in any noise impacts at any adjacent land use activity areas.

Wetlands: The U.S. Army Corps of Engineers conducted a site visit and made a wetland determination of the project area on April 29, 1992. The Corps determined that the project would not impact any wetland areas subject to its jurisdiction. Because no wetland impacts are expected from the project, no wetland mitigation is required.

Environmental Justice: The project area is located in Hidalgo County, Texas, which the U.S. Census Bureau in 1995 estimated to have a population of 479,000. The county population is approximately 87% Hispanic. The majority (99%) of land in the project area is used for agriculture. As stated above, two houses in the project area will need to be acquired; one of these two residences is owned by a minority family. Acquisition of these properties will be accomplished under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Relocation resources and assistance will be available to all persons regardless of race, color, religion, sex or national origin. The proposed project is expected to have a positive impact on the economic characteristics of the area and therefore no mitigation is required.

Minority and low-income populations will not be impacted disproportionately in an adverse manner by the proposed bridge, nor will there be any negative impacts to community cohesion or neighborhood stability.

Conclusion

Analysis of the Environmental Assessment Submitted by the Sponsors

Based upon the Department's independent review of the Final Environmental Assessment, comments received during its preparation and comments received by the Department from federal and state agencies including measures which are proposed to be taken to prevent or mitigate potentially adverse environmental

impacts which the Sponsors intend to take, the Department has concluded that issuance of a Presidential Permit authorizing construction of the proposed Anzalduas International Crossing, as proposed to be constructed in Road Alternative #3 as set forth in the Final Environmental Assessment, would not have a significant impact on the quality of the human environment within the United States. Accordingly, a finding of no significant impact is adopted and an EIS will not be prepared.

Dated: July 23, 1999.

David E. Randolph,

*Coordinator, U.S.-Mexico Border Affairs,
Office of Mexican Affairs.*

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DEPARTMENT OF STATE

Office of Mexican Affairs

[Public Notice No. 3110]

Notice of Issuance of a Presidential Permit to the cities of McAllen, Hidalgo and Mission, Texas, To construct, operate and maintain an international bridge, its approaches and facilities at the international boundary between the United States and Mexico

AGENCY: Department of State.

SUMMARY: Notice is hereby given that the Department of State has issued a Presidential Permit to the Cities of McAllen, Hidalgo and Mission, Texas, to construct, operate and maintain an international bridge, its approaches and facilities at the international boundary between the United States and Mexico (the "Anzalduas International Crossing"). The permit was issued July 23, 1999, pursuant to the International Bridge Act of 1972 (33 U.S.C. 535 *et seq.*) and Executive Order 11423 of 1968, as amended by Executive Order 12847 of 1993.

ADDRESSES: Copies of the Presidential Permit may be obtained from Mr. David E. Randolph, Coordinator, U.S.-Mexico Border Affairs, Office of Mexican Affairs, Room 4258, Department of State, Washington, D.C. 20520, telephone (202) 647-8529.

SUPPLEMENTARY INFORMATION: Notice of the application by the Cities of McAllen, Hidalgo and Mission, Texas, for a permit to build a new bridge, with access road, to be constructed across the Rio Grande river between McAllen, Texas, and Reynosa, Tamaulipas, Mexico, was published in the **Federal Register** on December 22, 1992, at 57 FR

60832. The bridge will carry pedestrian, vehicular and commercial traffic, and is intended to serve growing neighborhoods on the west side of the McAllen-Reynosa area. As a condition for the Presidential Permit, the Cities of McAllen, Hidalgo and Mission have agreed to begin construction of the bridge no earlier than April 1, 2003, and to open the bridge no earlier than January 1, 2005, unless prior to those dates the Secretary of State or the Secretary's delegate determines that the U.S. Congress has provided sufficient funds for construction, operation and support of the bridge.

Furthermore, permanent cargo import facilities will be constructed beginning no earlier than January 1, 2015 unless prior to that date the average northbound cargo traffic at the Pharr-Reynosa International Bridge reaches 15,000 vehicles per week.

The application for the Presidential Permit was reviewed and approved by numerous federal, state and local agencies. The final application and environmental assessment, which resulted in a finding by the Department of State of no significant impact ("FONSI") on the human environment, were reviewed and approved or accepted by the Immigration and Naturalization Service, General Services Administration, Department of Interior, Department of Agriculture, Department of Commerce, U.S. Customs Service, U.S. Coast Guard, Federal Highway Administration, Food and Drug Administration, International Boundary and Water Commission—U.S. Section, Department of Defense, Environmental Protection Agency, Department of State and appropriate Texas State Agencies: the Texas Parks and Wildlife Department, the Texas Department of Transportation, the Texas Historical Commission and the Texas Natural Resource Conservation Commission.

Dated: July 28, 1999.

David E. Randolph,

*Coordinator, U.S.-Mexico Border Affairs,
Office of Mexican Affairs.*

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Lawrence County, Ohio

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a supplement to a final environmental impact statement will be prepared for a proposed highway project in Lawrence County, Ohio.

FOR FURTHER INFORMATION CONTACT:

Scott McGuire, Field Operations Engineer, Federal Highway Administration, 200 North High Street, Room 328, Columbus, Ohio 43215, Telephone: (614) 280-6852.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Ohio Department of Transportation, will prepare a supplement to the final environmental impact statement (EIS) on a proposal to improve State Route (SR) 7 and SR 607 in Lawrence County, Ohio. The original EIS for the improvements (FHWA-OH-EIS-72-8-F) was approved on January 31, 1974. The supplement is being prepared due to the time elapsed since the original approval in 1974 and to adequately address new legislative and regulatory requirements. In response to the October 28, 1995, Federal planning regulations, a major investment study for the corridor has been completed by KYOVA Interstate Planning Commission.

The existing facility, which travels thru the Villages of Chesapeake and Proctorville (on a two-lane roadway) is prone to heavy traffic numbers exacerbated by turning movements and resulting in a high accident situation. SR 7 in this area is also prone to flooding which results in roadway closure and impairs emergency vehicles. The section of roadway to be relocated is situated in southern Lawrence County across the Ohio river from Huntington, West Virginia, a major metropolitan area. This section of roadway is predominantly used for residents living in Ohio and working in the Huntington area. The project is situated in the Ohio River valley with steep hills to the north. The flatter lands to the south along the river have been developed for residential and commercial buildings. Improvements to the corridor are considered necessary to provide for existing and projected traffic demand.

Alternatives under consideration include (1) taking no action; (2) building a 4-lane limited access facility on new alignment. The alignments under consideration are slightly north of Chesapeake, Proctorville, and Rome.

FHWA, ODOT and other local agencies invite participation in defining the alternatives to be evaluated in the supplemental EIS, and any significant social, economic, or environmental issues related to the alternatives. Information describing the purpose and