U.S. General Services Administration

Environmental Impact Statement for the Kenneth G. Ward (Lynden) and Sumas Land Ports of Entry Modernization and Expansion Projects Lynden and Sumas, Washington

Volume II – Appendix A
Consultation and Coordination – PART 1

Final

November 2024

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VOLUME II – APPENDICES

APPENDIX A. CONSULTATION AND COORDINATION – PART 1

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ACRONYMS

Acronym	Definition
AADT	Annual Average Daily Traffic
ACM	asbestos-containing material
ADA	Americans with Disabilities Act
AG	Agriculture
APE	area of potential effect
AST	aboveground storage tank
ASTM	American Society for Testing and Materials
BC	British Columbia
BCC	birds of conservation concern
BGEPA	Bald and Golden Eagle Protection Act
BMP	best management practices
BNSF	Burlington Northern Santa Fe Railroad
BTS	Bureau of Transportation Statistics
CAA	Clean Air Act
CBP	Customs and Border Protection
CBSA	Canada Border Services Agency
CCD	census county division
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CGP	Construction General Permit
CH_4	methane
CO_2	carbon dioxide
COG	Council of Government
COV	commercially owned vehicle
CWA	Clean Water Act
dB	decibels
DFA	Duty Free Americas
dBA	decibels on an A-weighted scale
DOSH	Division of Occupational Safety and Health
EIS	Environmental Impact Statement
EISA	Energy Independence and Security Act
EO	Executive Order
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
GHG	greenhouse gas
GMA	Growth Management Act
GSA	U.S. General Services Administration
GWP	global warming potential
HAP	hazardous air pollutant
HSS	highways of statewide significance
HUC	Hydrologic Unit Code
IDP	Inadvertent Discovery Plan

Acronym	Definition
IECC	International Energy Conservation Code
IPaC	Information for Planning and Consultation
LBP	lead-based paint
LEED®	Leadership in Energy and Environmental Design
LPOE	Land Port of Entry
LRR	Land Resource Region
LUST	leaking underground storage tank
MBTA	Migratory Bird Treaty Act
MLRA	Major Land Resource Area
mph	miles per hour
MPO	Metropolitan Planning Organization
msl	mean sea level
MTCA	Model Toxics Control Act
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAICS	North American Industry Classification System
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NII	non-intrusive inspection
NO_x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NSPS	New Source Performance Standard
NSR	New Source Review
NWCAA	Northwest Clean Air Agency
O_3	ozone
OSHA	Occupational Health and Safety Administration
PBS	Public Buildings Service
PCB	non-polychlorinated biphenyl
PDS	Program Development Study
$PM_{2.5}$	very fine particulate matter 2.5 micrometers or smaller
PM_{10}	fine particulate matter 10 micrometers or smaller
POV	privately owned vehicle
ppm	parts per million
PPV	peak particle velocity
PSD	Prevention of Significant Deterioration
PSE	Puget Sound Energy
RCRA	Resources Conservation and Recovery Act of 1976
RCW	Revised Code of Washington
ROD	Record of Decision
ROI	region of influence
SC-GHG	social cost of greenhouse gases
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SITES	Sustainable Sites Initiative

Acronym	Definition
SO_2	sulfur dioxide
SPCC	spill prevention, control, and countermeasures
SR	State Route
STIP	State Transportation Improvement Program
SWPPP	stormwater pollution prevention plan
TC	Tourist Commercial
THPO	Tribal Historic Preservation Officer
TMDL	Total Maximum Daily Load
U.S.C	U.S. Code
USDA	U.S. Department of Agriculture
U.S. DOT	U.S. Department of Transportation
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UST	underground storage tank
VOC	volatile organic compound
vpd	vehicles per day
vph	vehicles per hour
WAC	Washington Administrative Code
WDFW	Washington Department of Fish and Wildlife
WHO	World Health Organization
WNHP	Washington Natural Heritage Program
WOTUS	Waters of the U.S.
WRIA	Water Resource Inventory Area
WSDOT	Washington State Department of Transportation
WSS	Web Soil Survey

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A.1 SECTION 7 ENDANGERED SPECIES ACT

A.1.1 GSA Email to USFWS for Section 7 Consultation (July 31, 2024)

From: **Kenneth Ward LPOE Lynden Project Inbox** <lyndenlpoe@gsa.gov>
Date: Wed, Jul 31, 2024 at 3:06 PM
Subject: USFWS Informal Consultation for Washington Projects
To: Kenneth Ward LPOE Lynden Project Inbox <lyndenlpoe@gsa.gov>
Cc: <brad_thompson@fws.gov>

Dear Mr. Thompson:

The U.S. General Services Administration (GSA) is initiating informal consultation with the USFWS for the Lynden and Sumas Land Ports of Entry (LPOE) Expansion and Modernization Projects. The attached letter describes the Proposed Action, provides figures of the potential areas of impact, and describes proposed measures to avoid, minimize, or offset the effects of the Proposed Action.

We request concurrence with GSA's determination that the proposed projects may affect, but are not likely to adversely affect, protected species pursuant to Section 7 of the Endangered Species Act.

GSA would greatly appreciate your expedited review within 30 days to enable us to complete this phase of the project within the scheduled timeframe. Please respond to Patrick Manning at **LyndenLPOE@gsa.gov**. Please feel free to reach out if you have any questions.

Respectfully,

Patrick Manning

A.1.2 USFWS Consultation Letter, Figures, and IPAC Letters and Resource Lists

U.S. General Services Administration

July 31, 2024

Brad Thompson
Washington State Supervisor
U.S. Fish and Wildlife Service
Pacific Region
911 NE 11th Avenue
Portland, OR 97232

RE: Initiation of Consultation, Project Code Numbers 2024-0069979 and 2024-0069981, Kenneth G. Ward (Lynden) and Sumas Land Ports of Entry (LPOE) Modernization and Expansion Projects in Lynden and Sumas, Washington

Dear Mr. Thompson,

The United States (U.S.) General Services Administration (GSA) is preparing a Draft Environmental Impact Statement (EIS) for the Kenneth G. Ward (Lynden) and Sumas Land Ports of Entry (LPOE) modernization and expansion projects in compliance with the National Environmental Policy Act (NEPA). The Draft EIS examines the environmental effects of potential improvements at the LPOEs, including site expansion, demolition, and new construction. The Lynden and Sumas LPOEs are owned and managed by GSA and operated by the U.S. Department of Homeland Security's Customs and Border Protection (CBP). **Enclosure 1 – Figure 1** displays the regional locations of the Lynden and Sumas LPOEs, which are located approximately 10 miles apart.

The purpose of this letter is to request concurrence with GSA's determination that the proposed projects may affect, but are not likely to adversely affect, protected species pursuant to Section 7 of the Endangered Species Act (ESA) of 1973 as amended (16 U.S.C. 1531 et seq.). This letter describes the Proposed Action, provides figures of the potential areas of impact, and describes proposed measures to avoid, minimize, or offset the effects of the Proposed Action.

The 4.7-acre Lynden LPOE is located approximately 6 miles north of the city of Lynden, Washington, adjacent to the U.S. – Canada border. The existing LPOE is highly developed, with several maintained landscaped areas consisting of grass with small bushes and some larger trees. The Canada Border Services Agency (CBSA) Aldergrove LPOE is located to the north; structures for dairy and corn production and privately owned residences are to the south; a commercial business and a small, forested area are to the east; and agricultural land is located to the west of the Lynden LPOE.

The 4.0-acre Sumas LPOE is located directly south of the U.S. – Canada border in the city of Sumas, Washington. The existing LPOE is highly developed, with several maintained landscaped areas consisting of grass with small bushes and some larger trees. The surrounding area consists of industrial, commercial, and residential properties. The CBSA Abbotsford LPOE is located to the north; mixed-use commercial buildings and residential properties to the south; mixed-use commercial buildings and residential properties to the east; and Burlington Northern Santa Fe Railroad tracks and a residential area are to the west of the Sumas LPOE.

The Proposed Action is defined as the modernization and expansion of both the Lynden and Sumas LPOEs. All action alternatives would include:

- potential land acquisition adjacent to the LPOEs;
- site preparation, including demolition and disposal of existing LPOE structures, grading, and filling;

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- construction and operation of a new Main Building and other support facilities;
- addition of enclosed inspection spaces for commercial and private vehicles;
- enhanced accessibility; and
- improved lighting, which would be designed to minimize light pollution.

The purpose of these projects is for GSA to support the CBP mission through modernizing and expanding the Lynden and Sumas LPOEs. Accomplishing this purpose would increase the functionality, capacity, operational efficiency, effectiveness, security, sustainability, and safety of the Lynden and Sumas LPOEs. The projects are generally needed to update the current facilities at the Lynden and Sumas LPOEs, which no longer function adequately, cannot meet CBP current operational needs, and cannot incorporate new technologies as they become available.

The Lynden and Sumas LPOE's proposed configurations have not been established and design considerations are ongoing; however, **Enclosure 1 – Figures 2 through 4** show the maximum proposed limits of disturbance for each alternative being evaluated. In addition to the No Action Alternative required under NEPA, the Draft EIS considers two action alternatives for the Lynden LPOE project and three action alternatives for the Sumas LPOE project. The action alternatives GSA is considering are summarized below.

At the Lynden LPOE, GSA proposes to construct a Main Building and Head House, a non-intrusive inspection building, commercial inspection yard, inspection booths/canopies, staff/visitor parking, inbound and outbound inspection areas, and utility facilities, as needed. The two action alternatives differ in the direction of the LPOE expansion and the maximum proposed limit of disturbance. The option to expand the LPOE to the west and east would disturb a maximum area of approximately 14.5 acres (**Enclosure 1 – Figure 2**). The other action alternative would expand the LPOE to the north and south and would impact a maximum of approximately 10.3 acres (**Enclosure 1 – Figure 3**).

At the Sumas LPOE, GSA proposes to construct a Main Building, a non-intrusive inspection building, inspection booths/canopies, inbound and outbound inspection areas, hazardous materials and agriculture inspection platforms, stormwater detention area, outdoor parking and staging areas, and utility facilities, as needed. The three action alternatives differ in the potential siting of inspection facilities and construction of a single or multi-story port building. The proposed maximum extent of disturbance under any of the Sumas action alternatives is approximately 12.9 acres (**Enclosure 1 – Figure 4**).

GSA and CBP additionally considered two construction sequencing options for detailed analysis in this EIS: Concurrent Construction Option and Sequential Construction Option. The construction sequencing options are independent of the action alternatives that are under consideration and could be implemented under any combination of selected action alternatives at the two ports. Under the Concurrent Construction option, both ports would remain open during construction. It is anticipated that under this option construction would require 24 months to complete and fully open both modernized and expanded LPOEs. Under the Sequential Construction Option, GSA and CBP are considering the potential for closure of the Lynden LPOE. This would facilitate faster construction of the Lynden LPOE and would permit any required or impacted commercial traffic to be diverted or re-routed from the Sumas LPOE (once it is under construction) to the Lynden LPOE once the newly constructed commercial inspection facilities are operational. It is anticipated that under this option construction would require 18 months to complete and fully open both modernized and expanded LPOEs.

Special Status Species

GSA generated Information for Planning and Consultation (IPaC) reports for the Lynden and Sumas LPOE project sites individually (**Enclosure 2; Project Code Nos. 2024-0069979 (Lynden) and 2024-0069981 (Sumas)**). The IPaC reports identified threatened, endangered, and candidate species that may occur within the regions of influence (ROI). The Draft EIS defines the ROI as a 1,000-foot buffer around each project site, which includes the existing Lynden and Sumas LPOEs and the maximum proposed limits of disturbance associated with each of the considered alternatives.

The IPaC reports for the Lynden and Sumas LPOEs indicated the potential for one candidate species (monarch butterfly (*Danaus plexippu*)) and seven federally protected species: North American wolverine (*Gulo gulo luscus*; threatened), gray wolf (*Canis lupus;* endangered), marbled murrelet (*Brachyramphus marmoratus;* threatened), yellow-billed cuckoo (*Coccyzus americanus*; threatened); bull trout (*Salvelinus confluentus*; threatened), dolly varden trout (*Salvelinus malma*; threatened), and Oregon spotted frog (*Rana pretiosa*; threatened). The closest USFWS-designated critical habitat is for the bull trout, which is located 1.2 miles to the west of the Lynden LPOE within Bertrand Creek and 3 miles to the east of Lynden LPOE within Fishtrap Creek. There are no USFWS-designated critical habitats for special status species within the ROI.

USFWS records also indicate the potential presence of the bald eagle (*Haliaeetus leucocephalus*) and eight bird species protected under the Migratory Bird Treaty Act (MBTA): chestnut-backed chickadee (*Poecile rufescens rufescens*), black swift (*Cypseloides niger*), lesser yellowlegs (*Tringa flavipes*), evening grosbeak (*Coccothraustes vespertinus*), olive-sided flycatcher (*Contopus cooperi*), Rufous hummingbird (*Selasphorus rufus*), western gull (*Larus occidentalis*), and California gull (*Larus californicus*). This information is also part of the abovementioned IPaC report.

GSA has identified the likelihood of each special status species to occur within the ROI based on existing site conditions and the species' range/distribution and habitat requirements (**Table 1**). GSA has also made preliminary effect determinations for those special status species likely to occur within the ROI (**Table 2**) and noted the potential to encounter bald eagles and migratory birds (**Table 3**).

If construction activities occur within the nesting periods of migratory birds that may be found within the ROI (see **Table 3**) or the yellow-billed cuckoo (see **Table 2**), surveys would be conducted for nests prior to initiating demolition or construction activities. Any further requirements would be determined in coordination with applicable state and federal resource agencies pending survey results. If the project is determined to have potential to disturb or kill eagles, GSA would obtain a permit under the Bald and Golden Eagle Protection Act. As such, the Proposed Action is anticipated to have no effect on migratory birds or bald eagles.

Table 1. Federal Special Status Species with Potential to Occur within the Region of Influence

Species	Federal Status	Habitat	Which LPOE?	Expected to Occur Within ROI?
Mammals				
North American wolverine (*Gulo gulo luscus*)	Threatened	This species does not appear to specialize in specific vegetation or geological aspects, but instead selects areas that are cold and receive enough cold precipitation to maintain persistent snow late into the warm season. This species is primarily found in remote reaches of boreal forests and subarctic and alpine tundra.	Lynden and Sumas	No. The Lynden and Sumas ROIs do not contain boreal forests or areas with persistent snow late into the warm season.
Gray wolf (*Canis lupus*)	Endangered	Highly adaptable species able to inhabit a range of areas including temperate forests, mountains, tundra, taiga, and grasslands. In Washington, usually occurs in areas with few roads.	Sumas	No. This species primarily preys upon large, hooved mammals such as moose, elk, deer, caribou, and bison. The highly developed nature of the Sumas ROI and the presence of humans deters the presence of prey species and of gray wolves.
Birds				
Marbled murrelet (*Brachyramphus marmoratus*)	Threatened	This species spends most of its time on the ocean, resting and feeding near-shore marine waters and comes inland to nest. Species generally nests in old growth, mature coniferous forests or in rocky slopes near coastal areas.	Lynden and Sumas	No. The Lynden and Sumas ROIs do not contain old growth forests or rocky slopes. In addition, the ocean ranges from 15 to 25 miles from the LPOEs.
Yellow-billed cuckoo (*Coccyzus americanus*)	Threatened	This species uses wooded habitat with dense cover and water nearby, including woodlands with low, scrubby, vegetation, overgrown orchards, abandoned farmland, and dense thickets along streams and marshes.	Lynden and Sumas	Possibly. The Lynden and Sumas ROIs contain wooded areas and / or farmlands. If found within the ROIs it would be considered transient.

Table 1. Federal Special Status Species with Potential to Occur within the Region of Influence

Fish				
Bull trout (*Salvelinus confluentus*)	Threatened	This species prefers cold, clean, complex, and connected habitats and is most common in high mountain areas where snowfields and glaciers are present. They mainly occur in deep pools of large, cold rivers, lakes, and streams.	Lynden and Sumas	No. The Lynden and Sumas ROIs do not contain any surface waters such as pools, rivers, lakes, or streams.
Dolly varden trout (*Salvelinus malma*)	Threatened	This species prefers cold, clean, complex, and connected habitats and is most common in high mountain areas where snowfields and glaciers are present. They mainly occur in deep pools of large, cold rivers, lakes, and streams.	Lynden and Sumas	No. The Lynden and Sumas ROIs do not contain any surface waters such as pools, rivers, lakes, or streams.
Amphibians				
Oregon spotted frog (*Rana pretiosa*)	Threatened	This species is highly aquatic and is rarely found away from water. Populations occur in large shallow wetland systems associated with streams and stream networks.	Sumas	No. The Sumas ROI does not contain any surface waters such as wetlands or streams.
Insects				
Monarch butterfly (*Danaus plexippus*)	Candidate	This species requires secure patches of milkweed and nectar sources in weedy fields and sparsely vegetated habitats, typically near wetlands or riparian areas. Suitable breeding habitat associated with presence of milkweed plants, which grow in sunny areas with soils ranging from well-drained to those occurring near water.	Lynden and Sumas	Possibly. This species is known to breed in and travel through Washington, although the population of this species in Washington is considered low. The Lynden ROI contains farmland, fields, and grassy and forested areas and the Sumas ROI contains some limited grassy and forested areas, which could contain floral nectar for nutrition.

Table 2. Preliminary Effect Determination for Federal Special Status Species with Potential to Occur within the Region of Influence

Species	Effect Determination	Rationale
Yellow-billed cuckoo (*Coccyzus americanus*)	May affect, not likely to adversely affect	Potentially suitable habitat may exist within both the Lynden and Sumas ROI, and this species may experience indirect effects from increased human activity, noise, or disturbance of vegetation (specifically several trees, bushes, and farmland) in the proposed expansion area. This species may migrate through the ROI to stop, rest, and forage. However, construction and operation of the Proposed Action would not reduce the overall availability of nesting habitat or high-quality foraging habitat. In addition, potential impacts would be further reduced or avoided with implementation of the measures described at the end of this letter.
Monarch butterfly (*Danaus plexippus*)	May affect, not likely to adversely affect	Potentially suitable habitat may exist within both the Lynden and Sumas ROI, and this species may experience indirect effects from increased human activity, noise, or disturbance of vegetation (specifically milkweed, if present) in the proposed expansion area. However, these negligible impacts would be further reduced or avoided with implementation of the measures described at the end of this letter.

Table 3. Potential for Bald Eagles and Migratory Birds to Occur Within the Region of Influence

Species	Breeding Season in ROI	Breeding Habitat	Which LPOE?	Potential to Occur within ROI
Bald eagle (*Haliaeetus leucocephalus*)	January 1 to September 30	Coasts, rivers, large lakes, mountains, and open country typically close to water.	Lynden and Sumas	Unlikely. Although this species is known to occur in the ROIs, the Lynden and Sumas ROIs do not support suitable foraging and resting habitat.
Chestnut-backed chickadee (*Poecile rufescens rufescens*)	March 1 to July 31	Moist conifer trees, adjacent oaks, and shade trees.	Lynden and Sumas	Possibly. Both the Lynden and Sumas ROIs contain areas with trees, bushes, and maintained lawns and the Lynden ROI also contains farmland that this species could use for foraging and resting habitat.
Black swift (*Cypseloides niger*)	June 15 to September 10	Mountains, coastal cliffs, and ledges or crevices in steep cliffs, along the coast or near streams or waterfalls.	Sumas	Unlikely. The Sumas ROI does not contain mountains, cliffs, streams, or waterfalls. This species may be encountered within the ROI on stopovers during migration. However, the low-quality habitat existing within the ROI is unlikely to support suitable foraging or resting habitat during migration stopovers.

Table 3. Potential for Bald Eagles and Migratory Birds to Occur Within the Region of Influence

Species	Breeding Season in ROI	Breeding Habitat	Which LPOE?	Potential to Occur within ROI
Lesser yellowlegs (*Tringa flavipes*)	Breeds elsewhere		Sumas	Unlikely. The Sumas ROI does not contain marshes, mudflats, ponds, or other surface water areas. This species may be encountered within the ROI on stopovers during migration. However, the low-quality habitat existing within the ROI is unlikely to support suitable foraging or resting habitat during migration stopovers.
Evening grosbeak (*Coccothraustes vespertinus*)	May 15 to August 10	Conifer forests, box elders, maples, fruiting shrubs, and deciduous groves.	Lynden and Sumas	Possibly. The Lynden and Sumas ROIs contain areas with trees, bushes, and maintained lawn and the Lynden ROI also contains farmland that this species could use for foraging and resting habitat.
Olive-sided flycatcher (*Contopus cooperi*)	May 20 to August 31	Conifer forests, bogs, ponds, burn areas, and clearings.	Lynden and Sumas	Possibly. The Lynden and Sumas ROIs contain areas with trees, bushes, and maintained lawn and the Lynden ROI also contains farmland that this species could use for foraging and resting habitat.
Rufous hummingbird (*Selasphorus rufus*)	April 15 to July 15	Forest edges, stream sides, mountain meadows, clearings, and bushy second growth areas.	Lynden and Sumas	Possibly. The Lynden and Sumas ROIs contain areas with trees, bushes, and maintained lawn and the Lynden ROI also contains farmland that this species could use for foraging and resting habitat.
Western gull (*Larus occidentalis*)	April 21 to August 25	Coastal waters, estuaries, beaches, and city waterfronts.	Lynden and Sumas	Possibly. The Lynden and Sumas ROIs contain areas with trees, bushes, and maintained lawn and the Lynden ROI also contains farmland that this species could use for foraging and resting habitat.
California gull (*Larus californicus*)	March 1 to July 31	Sea coasts, lakes, farms, and urban centers.	Sumas	Possibly. The Sumas ROI contains areas with urban centers, trees, bushes, and maintained lawn that this species could use for foraging and resting habitat.

Measures to Avoid, Minimize, or Offset Effects

GSA would implement the following measures to avoid, minimize, or offset effects of the Proposed Action.

- All buildings scheduled for demolition would be inspected for nests prior to any demolition activities. Any further requirements would be determined in coordination with applicable state and federal resource agencies pending survey results.
- If construction activities occur within the nesting periods of migratory birds that may be found within the ROI (see Table 3) or the yellow-billed cuckoo (June to early August), surveys would be conducted for nests prior to initiating demolition or construction activities. Any further requirements would be determined in coordination with applicable federal resource agencies pending survey results.
- If milkweed plants are observed within the proposed expansion areas, they would be avoided to the extent practicable in order to reduce potential impacts to the federal candidate monarch butterfly.
    - If avoidance is not practicable, milkweed plants would be transplanted outside of the project area. When transplanting milkweed plants, care would be taken to retain as much of the tap root as possible. Digging 4 inches away from each side of the plant would help avoid cutting the tap root. Transplanting in early spring or in late summer/late fall may also increase success.
- If the projects are determined to have potential to disturb or kill eagles, a permit under the Bald and Golden Eagle Protection Act would be obtained.

Concurrence Request

GSA has determined that the Proposed Action may affect, but is not likely to adversely affect, protected species pursuant to Section 7 of the ESA. GSA would greatly appreciate your concurrence with GSA's determination within 30 days to enable us to complete this phase of the project within the scheduled timeframe. GSA also welcomes any information on the species potentially present in the project area that would further inform the effect determinations contained herein, as well as any input on proposed impact reduction measures that could be incorporated into the Proposed Action to avoid adverse effects to these species. Please provide any response to Patrick Manning at the Lynden and Sumas LPOE email address at lyndenlpoe@gsa.gov or sumaslpoe@gsa.gov .

Additionally, responses can be mailed to:

ATTN: Patrick Manning, Capital Project Manager
Lynden and Sumas LPOEs EIS
U.S. General Services Administration, Northwest/Arctic Region 10
1301 A Street, Suite 610
Tacoma WA 98402

U.S. General Services Administration

If you have any questions or require additional information, please do not hesitate to email me at the addresses shown above. Thank you for your assistance in this matter.

Sincerely,

DocuSigned by:
Patrick Manning
841D7EB0EAFE4F5...

Patrick Manning
Capital Project Manager
GSA | Public Buildings Service | Region 10

Enclosure 1 – Figures of Project Area
Enclosure 2 – Lynden and Sumas LPOE IPaC Letters and Resource Lists

ENCLOSURE 1 – FIGURES OF PROJECT AREA

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Figure 1. Lynden and Sumas LPOEs Regional Location

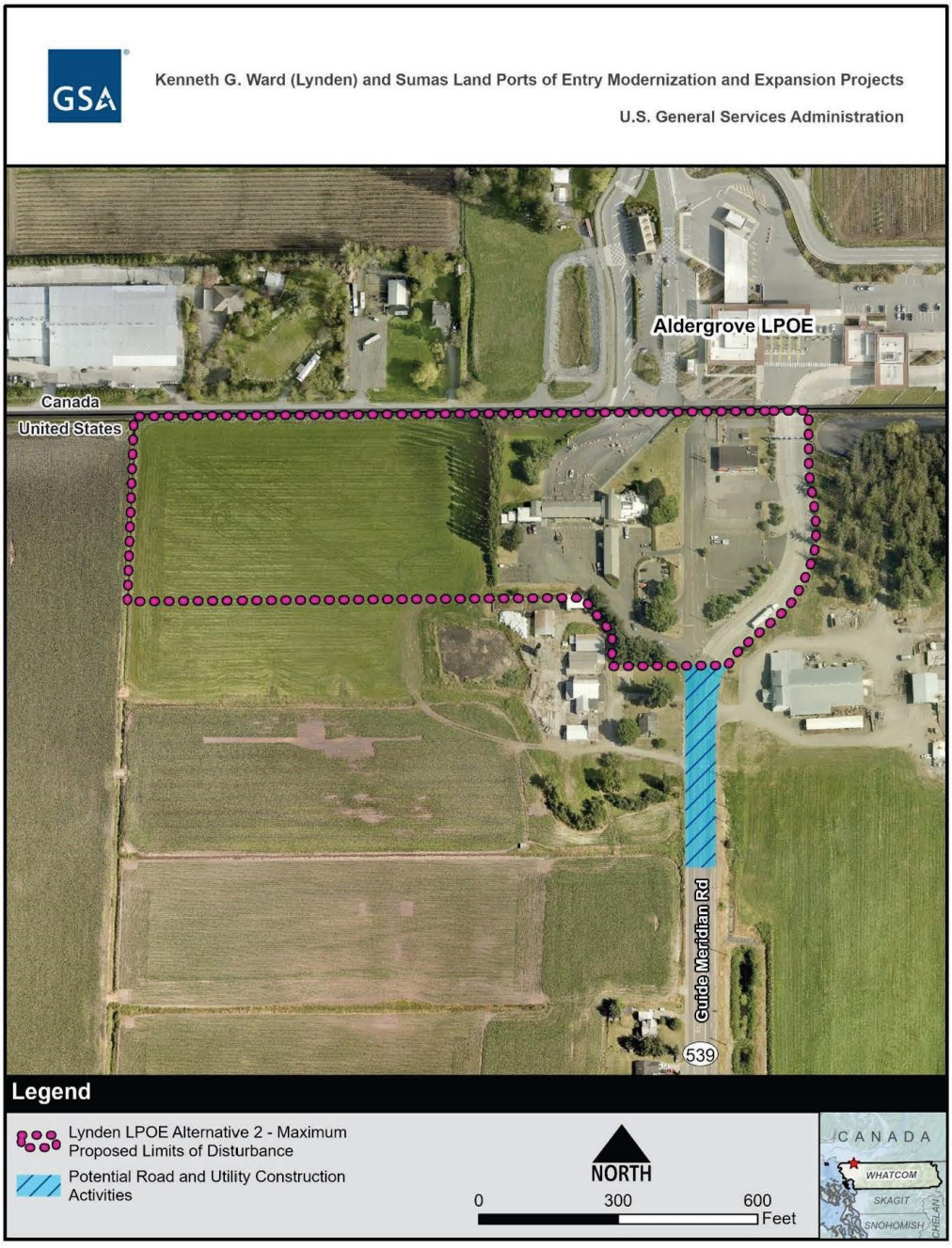


Figure 2. Lynden LPOE Alternative 2 – Maximum Proposed Limits of Disturbance

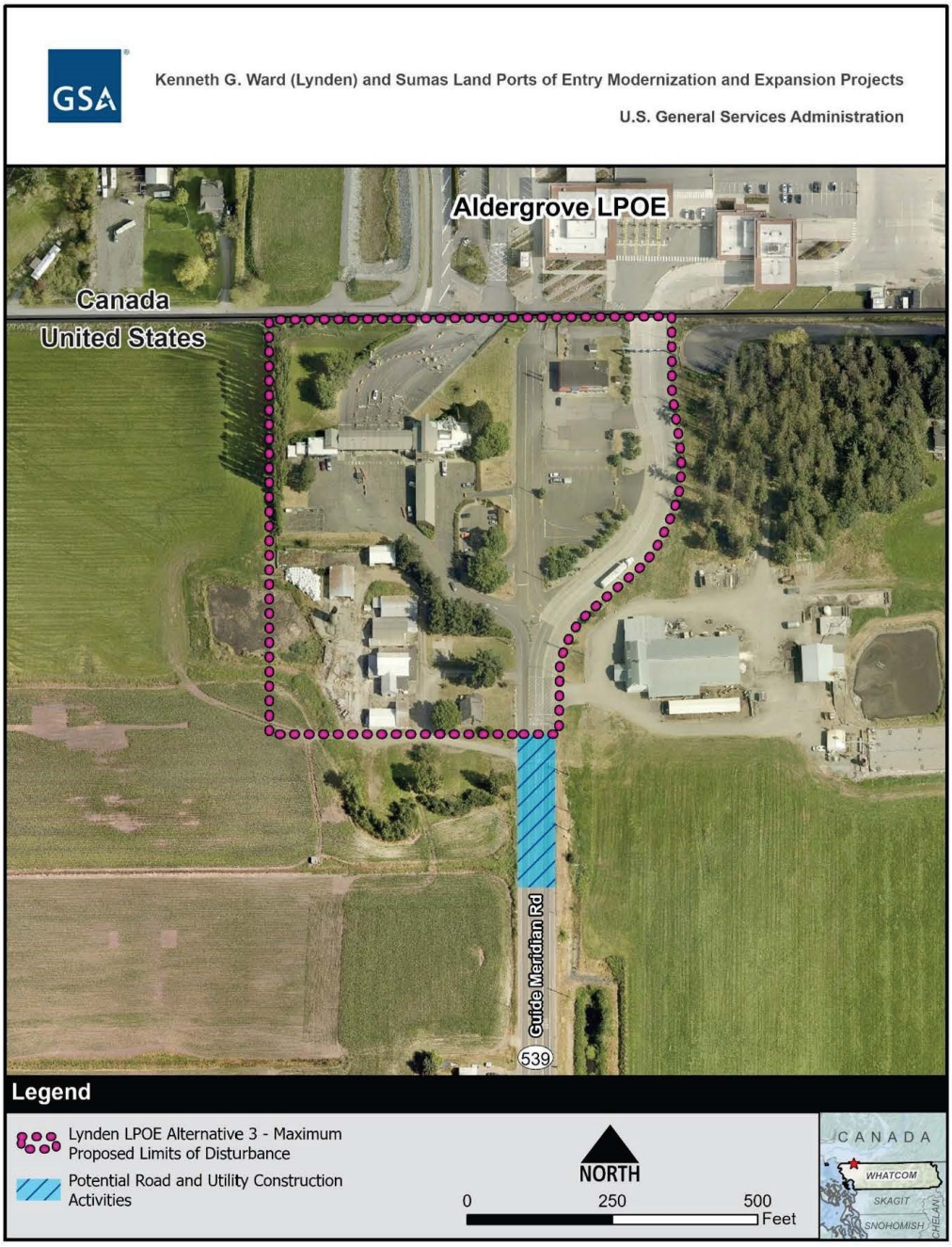


Figure 3. Lynden LPOE Alternative 3 – Maximum Proposed Limits of Disturbance

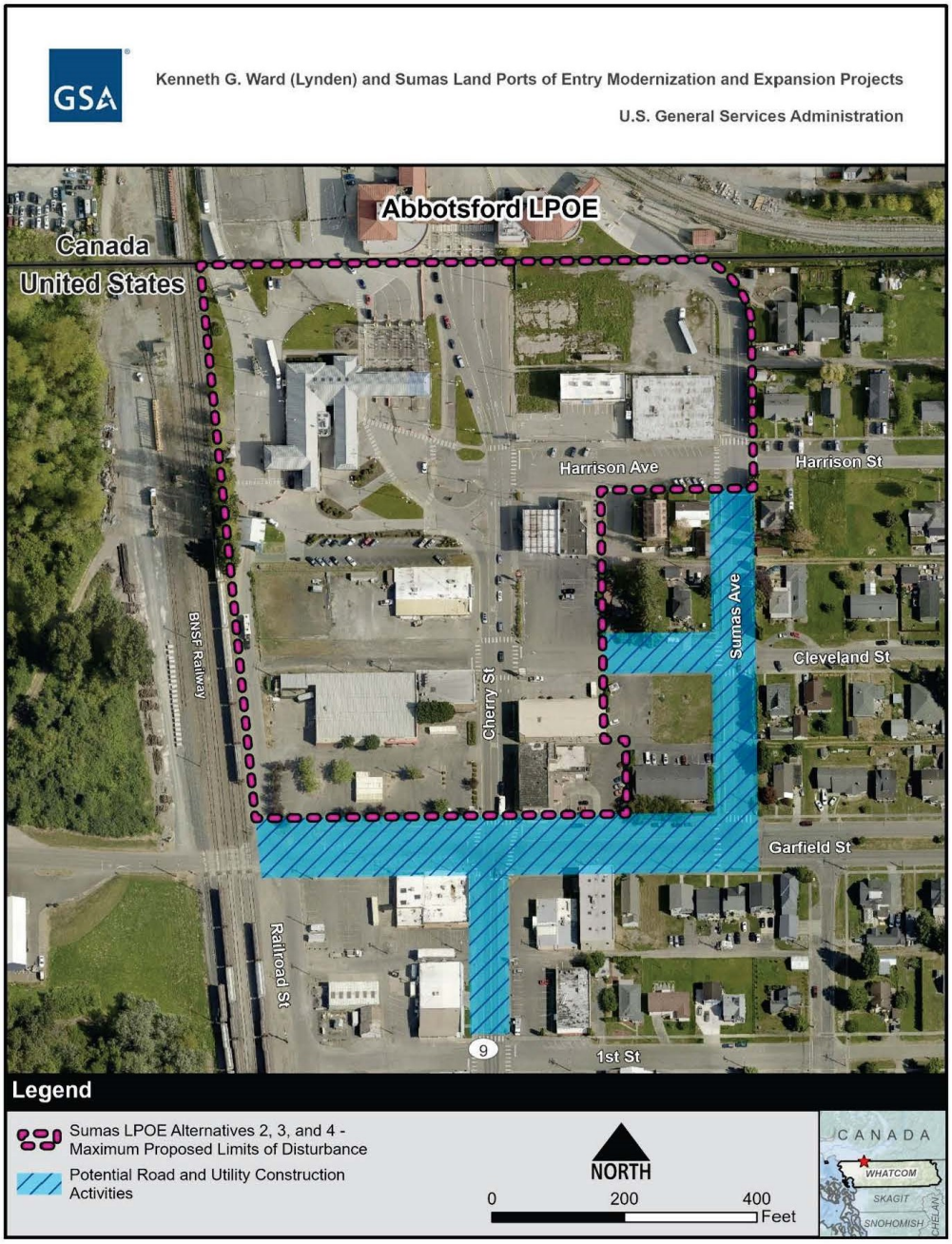


Figure 4. Sumas LPOE Alternatives 2, 3, and 4 – Maximum Proposed Limits of Disturbance

ENCLOSURE 2 – LYNDEN AND SUMAS LPOE IPAC LETTERS AND RESOURCE LISTS

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington Fish And Wildlife Office
510 Desmond Drive Se, Suite 102
Lacey, WA 98503-1263
Phone: (360) 753-9440 Fax: (360) 753-9405

In Reply Refer To: 07/05/2024 17:07:52 UTC
Project Code: 2024-0069979
Project Name: Lynden LPOE Modernization and Expansion

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 enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems 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 threatened and endangered species and to determine whether projects may affect threatened and endangered 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 a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. 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.

Attachment(s):

- Official Species List

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:

Washington Fish And Wildlife Office
510 Desmond Drive Se, Suite 102
Lacey, WA 98503-1263
(360) 753-9440

PROJECT SUMMARY

Project Code: 2024-0069979
Project Name: Lynden LPOE Modernization and Expansion
Project Type: New Constr - Above Ground
Project Description: The United States General Services Administration (GSA) proposes to modernize and expand the Lynden, Washington Land Port of Entry (LPOE). The Lynden LPOE is approximately 100 miles north of Seattle, Washington and 45 miles southeast of Vancouver, British Columbia. The Lynden LPOE is at the end of State Route 539 and is approximately 6 miles north of the city of Lynden, Washington. The LPOE is adjacent to the U.S. - Canada border and Canada Border Services Agency (CBSA) Aldergrove LPOE to the north; structures for dairy and corn production and privately owned residences to the south; a commercial business and a small, forested area to the east; and agricultural land to the west.

All action alternatives being considered for modernization and expansion would include:
• potential land acquisition adjacent to the LPOE;
• site preparation, including demolition and disposal of existing LPOE structures, grading, and filling;
• construction and operation of a new Main Building and other support facilities;
• addition of enclosed inspection spaces for commercial and privately owned vehicles;
• enhanced accessibility; and
• improved lighting, which would be designed to minimize light pollution.

Congress enacted the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law, on November 15, 2021 and included $3.4 billion for GSA to undertake 26 construction and modernization projects at LPOEs nationwide. Many of the country's LPOEs, including the Lynden LPOE, are outdated, long overdue for modernization, operate at full capacity, and have surpassed the needs for which they were originally designed.

The purpose of this project is for GSA to support the United States Customs and Border Protection (CBP) mission through modernizing and expanding the Lynden LPOE. Accomplishing this purpose would increase the functionality, capacity, operational efficiency, effectiveness, security, sustainability, and safety of the Lynden and Sumas LPOEs.

The project is generally needed to update the current facilities at the Lynden LPOE, which no longer function adequately and cannot meet CBP current operational needs or program of requirements. The existing

Lynden LPOE has not undergone major improvements since its initial construction in the late 1980s and does not have sufficient space for modernization and expansion within its current respective footprint. Additionally, this facility does not have the ability to incorporate new technologies as they become available.
The Lynden LPOE processes a limited amount of commercial truck traffic; however, the existing facilities are inadequate and have space limitations that can cause delays in processing times and congestion in the commercial lane. The port's limited capacity can cause commercial vehicles to reroute and pass through other LPOEs in the region, which results in escalating wait times at other LPOEs throughout western Washington.

Therefore, the modernized and expanded Lynden LPOE is needed to:
• meet CBP operational needs;
• optimize operational and traffic flows;
• address facility deficiencies;
• improve customer service;
• provide a comfortable and safe working environment for port personnel; and
• permit CBP flexibility to install new technology as it becomes available.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@49.00093665,-122.48696926258378,14z

Counties: Whatcom County, Washington

Project code: 2024-0069979 07/05/2024 17:07:52 UTC

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 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 Fisheries[1], 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.

Project code: 2024-0069979 07/05/2024 17:07:52 UTC

MAMMALS

NAME	STATUS
North American Wolverine *Gulo gulo luscus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5123	Threatened

BIRDS

NAME	STATUS
Marbled Murrelet *Brachyramphus marmoratus* Population: U.S.A. (CA, OR, WA) There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4467	Threatened
Yellow-billed Cuckoo *Coccyzus americanus* 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

FISHES

NAME	STATUS
Bull Trout *Salvelinus confluentus* Population: U.S.A., coterminous, lower 48 states There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8212	Threatened
Dolly Varden *Salvelinus malma* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1008	Proposed Similarity of Appearance (Threatened)

INSECTS

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

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.

IPAC USER CONTACT INFORMATION

Agency: Potomac-Hudson Engineering
Name: Sean McCain
Address: 77 Upper Rock Circle, Suite 302
City: Rockville
State: MD
Zip: 20850
Email sean.mccain@phe.com
Phone: 2533663412

LEAD AGENCY CONTACT INFORMATION

Lead Agency: General Services Administration

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)

IPaC Information for Planning and Consultation **U.S. Fish & Wildlife Service**

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

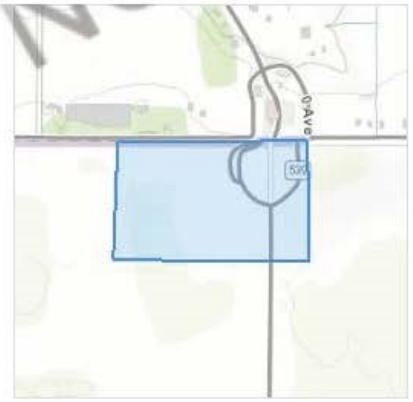
Project information

NAME

Lynden LPOE Modernization and Expansion

LOCATION

Whatcom County, Washington



DESCRIPTION

Some(The United States General Services Administration (GSA) proposes to modernize and expand the Lynden, Washington Land Port of Entry (LPOE). The Lynden LPOE is approximately 100 miles north of Seattle, Washington and 45 miles southeast of Vancouver, British Columbia. The Lynden LPOE is at the end of State Route 539 and is approximately 6 miles north of the city of Lynden, Washington. The LPOE is adjacent to the U.S. - Canada border and Canada Border Services Agency (CBSA) Aldergrove LPOE to the north; structures for dairy and corn production and privately owned residences to the south; a commercial business and a small, forested area to the east; and agricultural land to the west.

All action alternatives being considered for modernization and expansion would include:

- potential land acquisition adjacent to the LPOE;
- site preparation, including demolition and disposal of existing LPOE structures, grading, and filling;
- construction and operation of a new Main Building and other support facilities;
- addition of enclosed inspection spaces for commercial and privately owned vehicles;
- enhanced accessibility; and
- improved lighting, which would be designed to minimize light pollution.

Congress enacted the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law, on November 15, 2021 and included $3.4 billion for GSA to undertake 26 construction and modernization projects at LPOEs nationwide. Many of the country's LPOEs, including the Lynden LPOE, are outdated, long overdue for modernization, operate at full capacity, and have surpassed the needs for which they were originally designed.

The purpose of this project is for GSA to support the United States Customs and Border Protection (CBP) mission through modernizing and expanding the Lynden LPOE. Accomplishing this purpose would increase the functionality, capacity, operational efficiency, effectiveness, security, sustainability, and safety of the Lynden and Sumas LPOEs.

The project is generally needed to update the current facilities at the Lynden LPOE, which no longer function adequately and cannot meet CBP current operational needs or program of requirements. The existing Lynden LPOE has not undergone major improvements since its initial construction in the late 1980s and does not have sufficient space for modernization and expansion within its current respective footprint. Additionally, this facility does not have the ability to incorporate new technologies as they become available.
The Lynden LPOE processes a limited amount of commercial truck traffic; however, the existing facilities are inadequate and have space limitations that can cause delays in processing times and congestion in the commercial lane. The port's limited capacity can cause commercial vehicles to reroute and pass through other LPOEs in the region, which results in escalating wait times at other LPOEs throughout western Washington.

Therefore, the modernized and expanded Lynden LPOE is needed to:
• meet CBP operational needs;
• optimize operational and traffic flows;
• address facility deficiencies;
• improve customer service;
• provide a comfortable and safe working environment for port personnel; and
• permit CBP flexibility to install new technology as it becomes available.)

Local office

Washington Fish And Wildlife Office

(360) 753-9440
(360) 753-9405

510 Desmond Drive Se, Suite 102
Lacey, WA 98503-1263

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Log in to IPaC.
2. Go to your My Projects list.
3. Click PROJECT HOME for this project.
4. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. 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.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
North American Wolverine Gulo gulo luscus Wherever found **No critical habitat has been designated for this species.** https://ecos.fws.gov/ecp/species/5123	**Threatened**

Birds

NAME	STATUS
Marbled Murrelet Brachyramphus marmoratus **There is final critical habitat for this species. Your location does not overlap the critical habitat.** https://ecos.fws.gov/ecp/species/4467	**Threatened**
Yellow-billed Cuckoo Coccyzus americanus **There is final critical habitat for this species. Your location does not overlap the critical habitat.** https://ecos.fws.gov/ecp/species/3911	**Threatened**

Fishes

NAME	STATUS

NAME	STATUS
Bull Trout Salvelinus confluentus There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/8212	Threatened
Dolly Varden Salvelinus malma Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1008	PSAT

Insects

NAME	STATUS
Monarch Butterfly Danaus plexippus Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act[1] and the Migratory Bird Treaty Act[2].

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats[3], 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".

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

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to Bald Eagle Nesting and Sensitivity to Human Activity

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
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Mar 1 to Aug 31

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 (■)

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.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

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.

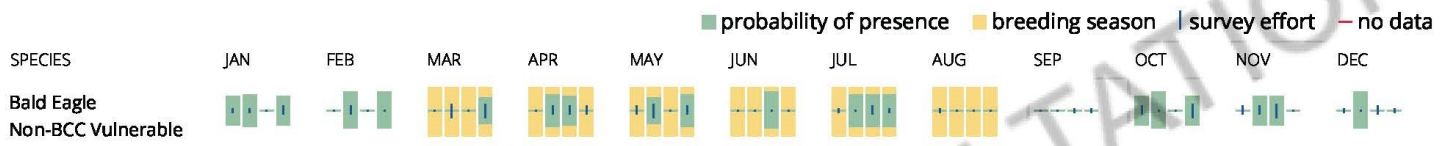
Survey Effort (|)

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.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

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.



What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence 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). To see 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 of bald and golden eagles 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 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. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats[3] 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.

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

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, 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
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Mar 1 to Aug 31
Chestnut-backed Chickadee Poecile rufescens rufescens This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Mar 1 to Jul 31
Evening Grosbeak Coccothraustes vespertinus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 15 to Aug 10
Olive-sided Flycatcher Contopus cooperi This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3914	Breeds May 20 to Aug 31

Rufous Hummingbird Selasphorus rufus — Breeds Apr 15 to Jul 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/8002

Western Gull Larus occidentalis — Breeds Apr 21 to Aug 25
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

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 (■)

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.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

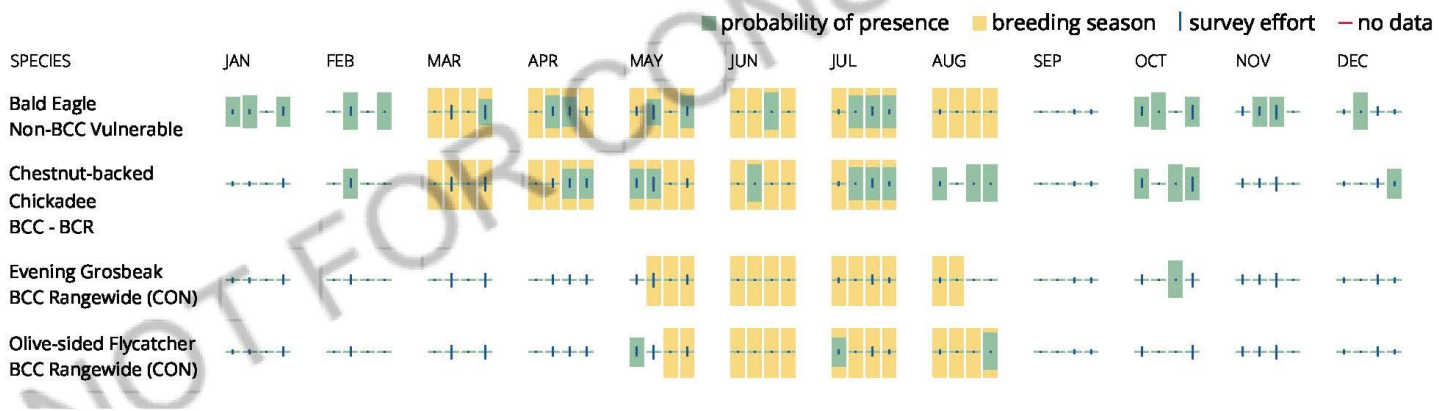
Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

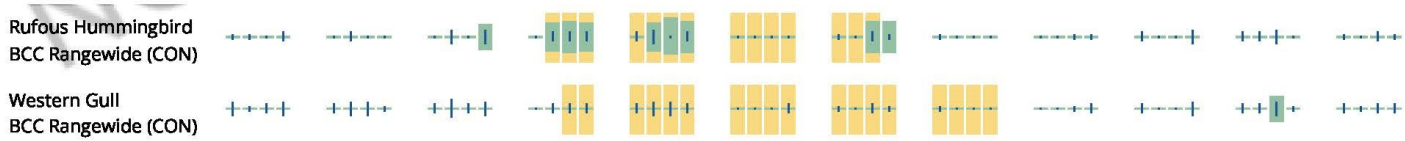
Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

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.





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.

Facilities

National Wildlife Refuge lands

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 at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

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.

This location did not intersect any wetlands mapped by NWI.

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington Fish And Wildlife Office
510 Desmond Drive Se, Suite 102
Lacey, WA 98503-1263
Phone: (360) 753-9440 Fax: (360) 753-9405

In Reply Refer To: 07/05/2024 17:03:00 UTC
Project Code: 2024-0069981
Project Name: Sumas LPOE Modernization and Expansion

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 enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems 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 threatened and endangered species and to determine whether projects may affect threatened and endangered 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 a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. 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.

Project code: 2024-0069981 07/05/2024 17:03:00 UTC

Attachment(s):

- Official Species List

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:

Washington Fish And Wildlife Office
510 Desmond Drive Se, Suite 102
Lacey, WA 98503-1263
(360) 753-9440

PROJECT SUMMARY

Project Code: 2024-0069981
Project Name: Sumas LPOE Modernization and Expansion
Project Type: New Constr - Above Ground
Project Description: The United States General Services Administration (GSA) proposes to modernize and expand the Sumas, Washington Land Port of Entry (LPOE). The Sumas LPOE is approximately 100 miles north of Seattle, Washington and 45 miles southeast of Vancouver, British Columbia. The Sumas LPOE is located on State Route 9, directly south of the U.S. - Canada border in the city of Sumas, Washington. The LPOE is located adjacent to the Canadian international border and CBSA Abbotsford LPOE to the north; mixed-use commercial buildings and residential properties to the south; mixed-use commercial buildings and residential properties to the east; and Burlington Northern Santa Fe Railroad tracks and residential area to the west.

All action alternatives being considered for modernization and expansion would include:
• potential land acquisition adjacent to the LPOE;
• site preparation, including demolition and disposal of existing LPOE structures, grading, and filling;
• construction and operation of a new Main Building and other support facilities;
• addition of enclosed inspection spaces for commercial and privately owned vehicles;
• enhanced accessibility; and
• improved lighting, which would be designed to minimize light pollution.

Congress enacted the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law, on November 15, 2021 and included $3.4 billion for GSA to undertake 26 construction and modernization projects at LPOEs nationwide. Many of the country's LPOEs, including the Sumas LPOE, are outdated, long overdue for modernization, operate at full capacity, and have surpassed the needs for which they were originally designed.

The purpose of this project is for GSA to support the United States Customs and Border Protection (CBP) mission through modernizing and expanding the Sumas LPOE. Accomplishing this purpose would increase the functionality, capacity, operational efficiency, effectiveness, security, sustainability, and safety of the Sumas LPOEs.

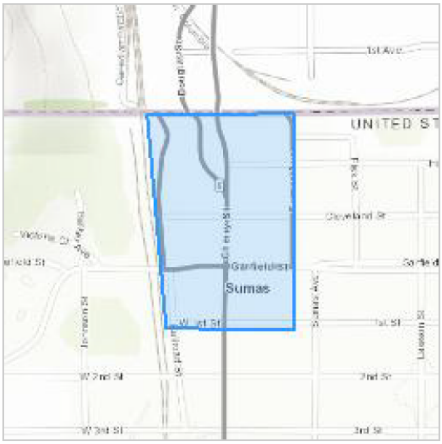
The project is generally needed to update the current facilities at the Sumas LPOE, which no longer function adequately and cannot meet CBP

current operational needs or program of requirements. The existing Sumas LPOE has not undergone major improvements since its initial construction in the late 1980s and does not have sufficient space for modernization and expansion within its current respective footprint. Additionally, this facility does not have the ability to incorporate new technologies as they become available.

In addition, the existing Sumas LPOE does not have enough space for efficient traffic flows, which leads to congestion and delays. This congestion can also lead to traffic that accumulates beyond the secure inspection areas at the LPOE, which impedes the port's operations and causes traffic and safety concerns in the surrounding urban area. This is both a concern for southbound traffic into the U.S. and northbound traffic to Canada.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@49.000679000000005,-122.26496012500002,14z



Counties: Whatcom County, Washington

Project code: 2024-0069981 07/05/2024 17:03:00 UTC

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 Fisheries[1], 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.

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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.

Project code: 2024-0069981 07/05/2024 17:03:00 UTC

MAMMALS

NAME	STATUS
Gray Wolf *Canis lupus* Population: U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico. There is **final** critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/4488	Endangered
North American Wolverine *Gulo gulo luscus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5123	Threatened

BIRDS

NAME	STATUS
Marbled Murrelet *Brachyramphus marmoratus* Population: U.S.A. (CA, OR, WA) There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4467	Threatened
Yellow-billed Cuckoo *Coccyzus americanus* 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
Oregon Spotted Frog *Rana pretiosa* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6633	Threatened

FISHES

NAME	STATUS
Bull Trout *Salvelinus confluentus* Population: U.S.A., coterminous, lower 48 states There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8212	Threatened
Dolly Varden *Salvelinus malma* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1008	Proposed Similarity of Appearance (Threatened)

INSECTS

Project code: 2024-0069981 07/05/2024 17:03:00 UTC

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

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.

Project code: 2024-0069981 07/05/2024 17:03:00 UTC

IPAC USER CONTACT INFORMATION

Agency: Potomac-Hudson Engineering
Name: Sean McCain
Address: 77 Upper Rock Circle, Suite 302
City: Rockville
State: MD
Zip: 20850
Email sean.mccain@phe.com
Phone: 2533663412

LEAD AGENCY CONTACT INFORMATION

Lead Agency: General Services Administration

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)

IPaC Information for Planning and Consultation **U.S. Fish & Wildlife Service**

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Project information

NAME

Sumas LPOE Modernization and Expansion

LOCATION

Whatcom County, Washington

DESCRIPTION

Some(The United States General Services Administration (GSA) proposes to modernize and expand the Sumas, Washington Land Port of Entry (LPOE). The Sumas LPOE is approximately 100 miles north of Seattle, Washington and 45 miles southeast of Vancouver, British Columbia. The Sumas LPOE is located on State Route 9, directly south of the U.S. - Canada border in the city of Sumas, Washington. The LPOE is located adjacent to the Canadian international border and CBSA Abbotsford LPOE to the north; mixed-use commercial buildings and residential properties to the south; mixed-use commercial buildings and residential properties to the east; and Burlington Northern Santa Fe Railroad tracks and residential area to the west.

All action alternatives being considered for modernization and expansion would include:

- potential land acquisition adjacent to the LPOE;
- site preparation, including demolition and disposal of existing LPOE structures, grading, and filling;
- construction and operation of a new Main Building and other support facilities;
- addition of enclosed inspection spaces for commercial and privately owned vehicles;
- enhanced accessibility; and
- improved lighting, which would be designed to minimize light pollution.

Congress enacted the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law, on November 15, 2021 and included $3.4 billion for GSA to undertake 26 construction and modernization projects at LPOEs nationwide. Many of the country's LPOEs, including the Sumas LPOE, are outdated, long overdue for modernization,

operate at full capacity, and have surpassed the needs for which they were originally designed.

The purpose of this project is for GSA to support the United States Customs and Border Protection (CBP) mission through modernizing and expanding the Sumas LPOE. Accomplishing this purpose would increase the functionality, capacity, operational efficiency, effectiveness, security, sustainability, and safety of the Sumas LPOEs.

The project is generally needed to update the current facilities at the Sumas LPOE, which no longer function adequately and cannot meet CBP current operational needs or program of requirements. The existing Sumas LPOE has not undergone major improvements since its initial construction in the late 1980s and does not have sufficient space for modernization and expansion within its current respective footprint. Additionally, this facility does not have the ability to incorporate new technologies as they become available.

In addition, the existing Sumas LPOE does not have enough space for efficient traffic flows, which leads to congestion and delays. This congestion can also lead to traffic that accumulates beyond the secure inspection areas at the LPOE, which impedes the port's operations and causes traffic and safety concerns in the surrounding urban area. This is both a concern for southbound traffic into the U.S. and northbound traffic to Canada.)

Local office

Washington Fish And Wildlife Office

(360) 753-9440
(360) 753-9405

510 Desmond Drive Se, Suite 102
Lacey, WA 98503-1263

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Log in to IPaC.
2. Go to your My Projects list.
3. Click PROJECT HOME for this project.
4. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. 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.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Gray Wolf Canis lupus There is **final** critical habitat for this species. https://ecos.fws.gov/ecp/species/4488	Endangered
North American Wolverine Gulo gulo luscus Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/5123	Threatened

Birds

NAME	STATUS
Marbled Murrelet Brachyramphus marmoratus There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/4467	Threatened
Yellow-billed Cuckoo Coccyzus americanus There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/3911	Threatened

Amphibians

NAME	STATUS
Oregon Spotted Frog Rana pretiosa Wherever found **There is final critical habitat for this species. Your location does not overlap the critical habitat.** https://ecos.fws.gov/ecp/species/6633	**Threatened**

Fishes

NAME	STATUS
Bull Trout Salvelinus confluentus **There is final critical habitat for this species. Your location does not overlap the critical habitat.** https://ecos.fws.gov/ecp/species/8212	**Threatened**
Dolly Varden Salvelinus malma Wherever found **No critical habitat has been designated for this species.** https://ecos.fws.gov/ecp/species/1008	**PSAT**

Insects

NAME	STATUS
Monarch Butterfly Danaus plexippus Wherever found **No critical habitat has been designated for this species.** https://ecos.fws.gov/ecp/species/9743	**Candidate**

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act[1] and the Migratory Bird Treaty Act[2].

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats[3], 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".

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

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to Bald Eagle Nesting and Sensitivity to Human Activity

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
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Mar 1 to Aug 31

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 (■)

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.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

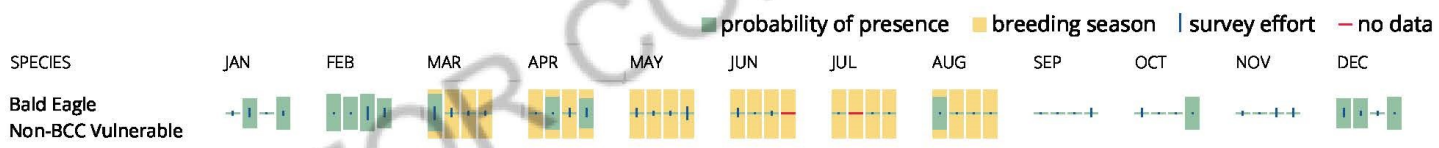
Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

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.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

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.



What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence 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). To see 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 of bald and golden eagles 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 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. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats[3] 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.

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

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, 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
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Mar 1 to Aug 31
Black Swift *Cypseloides niger* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8878	Breeds Jun 15 to Sep 10

California Gull Larus californicus — **Breeds Mar 1 to Jul 31**
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Cassin's Finch Haemorhous cassinii — **Breeds May 15 to Jul 15**
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9462

Chestnut-backed Chickadee Poecile rufescens rufescens — **Breeds Mar 1 to Jul 31**
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Evening Grosbeak Coccothraustes vespertinus — **Breeds May 15 to Aug 10**
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Lesser Yellowlegs Tringa flavipes — **Breeds elsewhere**
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9679

Olive-sided Flycatcher Contopus cooperi — **Breeds May 20 to Aug 31**
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3914

Rufous Hummingbird Selasphorus rufus — **Breeds Apr 15 to Jul 15**
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/8002

Western Gull Larus occidentalis — Breeds Apr 21 to Aug 25

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

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 (■)

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.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

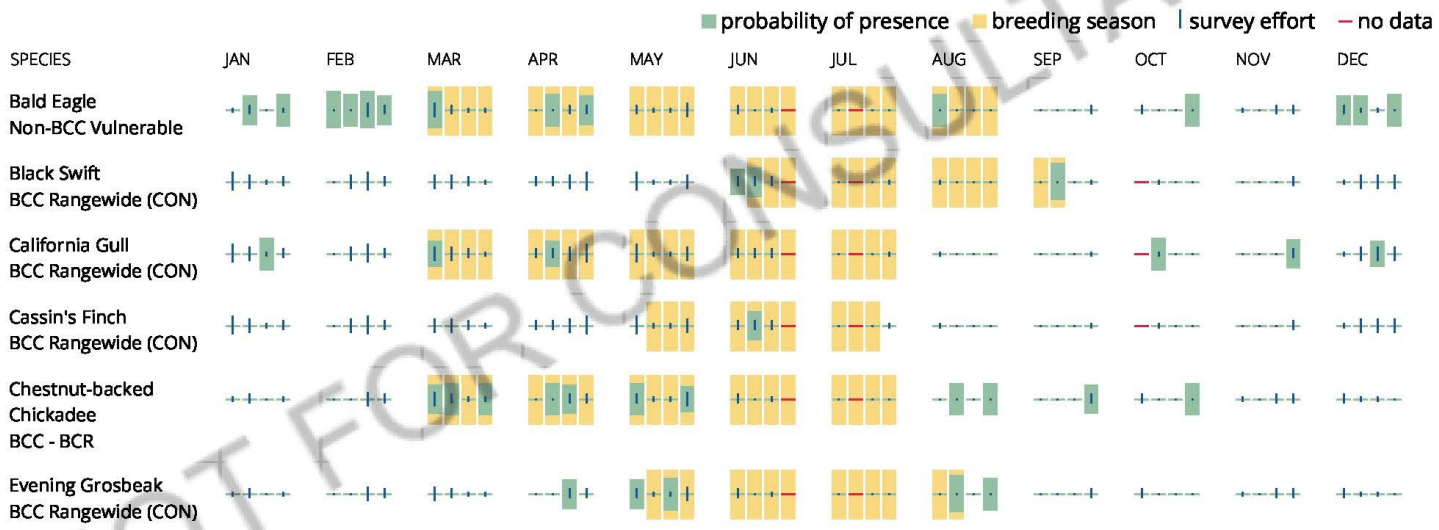
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

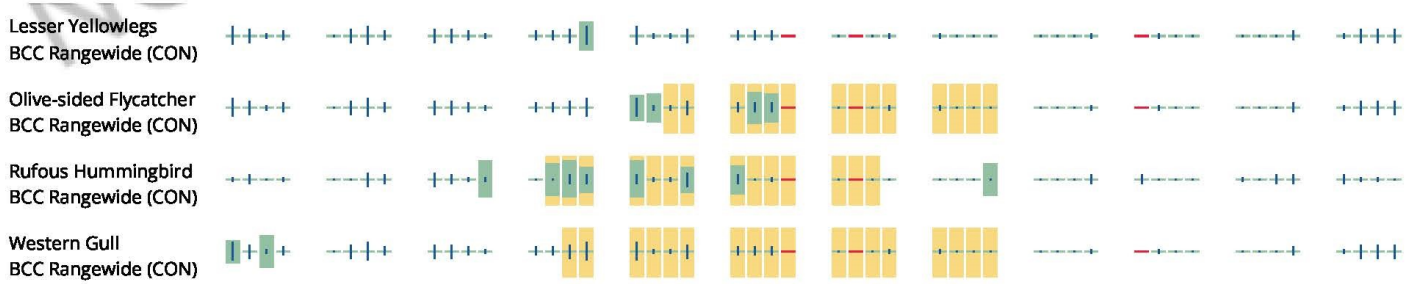
Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

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.





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.

Facilities

National Wildlife Refuge lands

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 at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

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.

This location did not intersect any wetlands mapped by NWI.

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

A.2 FARMLAND CONVERSION IMPACT RATING FORMS

A.2.1 GSA Email to NRCS with Farmland Conversion Impact Rating Forms (July 31, 2024)

From: **Kenneth Ward LPOE Lynden Project Inbox** <lyndenlpoe@gsa.gov>
Date: Wed, Jul 31, 2024 at 1:44 PM
Subject: Farmland Conversion Consultation for GSA projects in Washington
To: Kenneth Ward LPOE Lynden Project Inbox <lyndenlpoe@gsa.gov>
Cc: <alexander.hall@usda.gov>

Dear Mr. Hall:

The United States General Services Administration (GSA) is pursuing modernization and expansion of the Kenneth G. Ward (Lynden) and Sumas Land Ports of Entry (LPOEs) in Whatcom County, Washington. Because these projects have the potential to convert farmland to non-agricultural use, GSA is submitting for review the attached Federal Farmland Protection Policy Act Farmland Conversion Impact Rating forms.

The Lynden LPOE is in a rural area, which is underlain by farmland soils, and the potential site expansion could impact an active farm. The Sumas LPOE is located in an urbanized area but is underlain by farmland soils. GSA requests Natural Resources Conservation Service (NRCS) review of the forms and, as appropriate, completion of Parts IV and V of the forms; along with a determination if any further coordination is required with the NRCS for these projects.

Please contact me at patrick.manning@gsa.gov or 253-218-5286 if you need additional information to complete your review or would like to schedule a site visit. A response within 30 days from the receipt of this communication would be greatly appreciated.

Respectfully,

Patrick Manning

(703) 822-3698
marshall.popkin@gsa.gov

A.2.2 Farmland Conversion Impact Rating Form, Lynden LPOE

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*		Date Of Land Evaluation Request 7/2/2024	
Name of Project Lynden Land Port of Entry Modernization		Federal Agency Involved General Services Administration	
Proposed Land Use Land Port of Entry		County and State Whatcom County, Washington	
PART II *(To be completed by NRCS)*		Date Request Received By NRCS	Person Completing Form:
Does the site contain Prime, Unique, Statewide or Local Important Farmland? *(If no, the FPPA does not apply - do not complete additional parts of this form)*	YES ☐ NO ☐	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Amount of Farmland As Defined in FPPA Acres: %	
Name of Land Evaluation System Used	Name of State or Local Site Assessment System	Date Land Evaluation Returned by NRCS	

PART III *(To be completed by Federal Agency)*	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	6.77	1.6		
B. Total Acres To Be Converted Indirectly	0	0		
C. Total Acres In Site	14.5	10.3		
PART IV *(To be completed by NRCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide Important or Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)				

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)*	Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use	(15)	15	15		
2. Perimeter In Non-urban Use	(10)	9	8		
3. Percent Of Site Being Farmed	(20)	9	0		
4. Protection Provided By State and Local Government	(20)	20	20		
5. Distance From Urban Built-up Area	(15)	15	15		
6. Distance To Urban Support Services	(15)	10	10		
7. Size Of Present Farm Unit Compared To Average	(10)	10	10		
8. Creation Of Non-farmable Farmland	(10)	0	7		
9. Availability Of Farm Support Services	(5)	5	5		
10. On-Farm Investments	(20)	7	20		
11. Effects Of Conversion On Farm Support Services	(10)	0	0		
12. Compatibility With Existing Agricultural Use	(10)	2	2		
TOTAL SITE ASSESSMENT POINTS	160	102	112	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	0	0	0	0
Total Site Assessment *(From Part VI above or local site assessment)*	160	102	112	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	102	112	0	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES ☐ NO ☐

Reason For Selection:

Name of Federal agency representative completing this form: Lukas Lightcap (PHE - contractor) Date: 7/2/2024

(See Instructions on reverse side) **Form AD-1006 (03-02)**

Lynden Land Port of Entry
Federal Farmland Protection Policy Act (FPPA)
Farmland Conversion Impact Rating Form Backup

Note that in the Farmland Conversion Impact Rating Form, Site A is Lynden LPOE Alternative 2 and Site B is Lynden LPOE Alternative 3. Lynden LPOE Alternative 1 is the No Build, which would maintain the current Lynden Land Port of Entry in its current condition and would have no impacts on farmland soils or farms.

1. **How much land is in non-urban use within a radius of 1.0 mile from where the project is intended?**

Sites A/B: 90 percent or greater = 15 points.

A circle displaying a 1.0-mile radius from the Lynden Land Port of Entry was created using Google Earth Pro. Within this radius, urban areas were identified and outlined, and were found to consist of approximately 89.8 acres. The urban areas in question lie on the Canadian side of the border. The total area within the 1.0-mile radius is approximately 2,020.16 acres, meaning non-urban space accounts for 1,930.36 acres, or 95.6 percent of the land within the radius.

2. **How much of the perimeter of the site borders on land in non-urban use?**

Site A: 85.0 percent = 9 points
Site B: 78.6 percent = 8 points

Using Google Earth Pro, it was determined that the total perimeter for Site A is approximately 3,847 feet. Approximately 579 feet of this perimeter borders urban use land, which consists of the Land Port of Entry on the Canadian side of the border. The other 3,268 feet borders non-urban land and accounts for 85.0 percent of the perimeter.

Using Google Earth Pro, it was determined that the total perimeter for Site B is approximately 2,710 feet. Approximately 579 feet of this perimeter borders urban use land, which consists of the Land Port of Entry on the Canadian side of the border. The other 2,131 feet borders non-urban land and accounts for 78.6 percent of the perimeter.

3. **How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last ten years?**

Site A: 47.0 percent = 9 points
Site B: 15.5 percent = 0 points

Using Google Earth Pro, it was determined that Site A consists of approximately 14.4 acres. Within Site A, approximately 6.77 acres has been used for farming, which makes up 47.0 percent of Site A.

Using Google Earth Pro, it was determined that Site B consists of approximately 10.3 acres. Within Site B, approximately 1.60 acres has been used for farming, which makes up 15.5 percent of Site B.

4. **Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?**

Sites A/B: Protected = 20 points

The project site containing the farm is enrolled in Whatcom County's Open Space taxation program, which is a property tax reduction program administered according to the Washington State Open Space Taxation Act, 84.34 RCW and its rules codified in WAC 458-30. Under this program, the land is classified as "Open Space Agriculture". Additionally, the Whatcom County Comprehensive Plan lists the project site designation as "Agriculture".

Lynden Land Port of Entry
Federal Farmland Protection Policy Act (FPPA)
Farmland Conversion Impact Rating Form Backup

5. **How close is the site to an urban built-up area?**

Sites A/B: More than 10,560 feet = 15 points

Using Google Earth Pro, it was determined that the closest built-up urban area to Site A was the city of Lynden, which is located approximately 14,424 feet away. Lynden was also the closest built-up urban area to Site B, with it being located approximately 14,271 feet away.

6. **How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use?**

Sites A/B: The closest services are about 2.6 miles away = 10 points

Using Google Earth Pro, it was determined that the distance of the site from local facilities and services varied. Some local facilities and services are in close vicinity of the site, as power lines are located within and adjacent to the parcel the farmland is located on. Guide Meridian Road is also adjacent to this parcel. The city of Lynden is about 2.6 miles away from the parcel, which does provide some public services, such as water and gas lines. A small Christian school is located within 1.14 miles of the site, but the presence of this school would not be expected to have any influence on land use changes related to agriculture. The capacity of these services is not known.

7. **Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county? (Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with $1,000 or more in sales.)**

Whatcom County average farm unit size: 65 acres
Sites A/B farm unit size of 90.08 acres = 10 points

According to the 2022 Census of Agriculture County Profile for Whatcom County, Washington, the average size of a farm is 65 acres. According to the Whatcom County Tax Parcel Viewer, the farm located within the project area is owned by Grace Fields LLC and encompasses Parcel 158299 and 158303 for a total of 90.08 acres.

8. **If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?**

Site A: 5 percent or less = 0 points
Site B: 19 – 20 percent = 7 points

For Site A, none of the remaining farmland is expected to become non-farmable due to interference with land patterns. The loss of the farmable acreage would impact the farm, but due to the size of the existing farm unit would not be expected to make the farm unviable.

For Site B, due to the loss of multiple farming structures, the current owners' ability to farm the land could be impacted, but the land would still be farmable. Additionally, the farm appears, based on parcel data, to include another set of farming buildings located to the south of the project site that would not be impacted by the proposed project and could likely allow the operation of the farm to continue. However, because the project would reduce the ease of farming the land, 7 points were applied.

9. **Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?**

Sites A/B: All required services are available = 5 points

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The farm is located in an area surrounded by multiple different farmlands. Due to the large presence of farms in the area, the area appears to provide at least adequate farm support services. Therefore, it is assumed that the site has all required services available to it.

10. Does the site have substantial and well-maintained on farm investments such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

Site A: 35 to 39 percent = 7 points
Site B: 100 percent = 20 points

Site A: Based on Google Earth Pro imagery, Site A appears to be used for growing crops, meaning that it likely contains maintained tile drains. Additionally, the property owner has likely made considerable investments into soil maintenance and fertilizer.

Site B: According to the Phase 1 Environmental Site Assessment (ESA), the site has multiple farming structures located on it that are used for the storage of farming equipment, including two barns and three sheds. These structures are also visible on Google Earth Pro. While the Phase I ESA states that the barns are dilapidated, the farm investments present within the site represent a significant amount of the total investments present throughout the entire farm. However, the farm appears to include another set of farming buildings located to the south of the project site that would not be impacted by the proposed project. Support from these farming investments would likely allow the operation of the farm to continue.

11. Would the project at this site, by converting farmland to nonagricultural use, reduce the support for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Sites A/B: No significant reduction in demand for support services if the site is converted = 0 points

The project would not be expected to significantly reduce the need for farm support services. The farm within the project area is surrounded by multiple different agricultural areas, meaning that sufficient amounts of farm support services that can support other farms are likely present. It is anticipated that the impacted farm would also continue to operate; however, in a modified manner (e.g., Site A = loss of some cropland; Site B = loss of one set of farm buildings).

12. Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of the surrounding farmland to nonagricultural use?

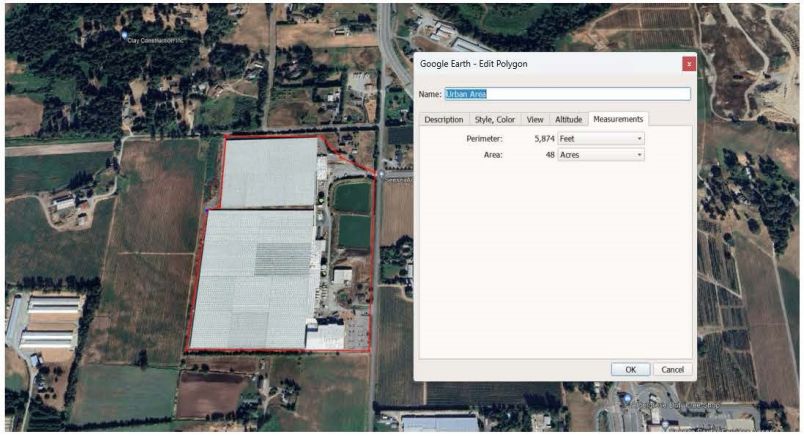
Sites A/B: Proposed project is tolerable of existing agricultural use of surrounding farmland = 2 points

The proposed use of the site will be the operation of the modernized and expanded Lynden LPOE. It is unlikely that this purpose would be incompatible with the surrounding farmland, as the Lynden LPOE has been in operation since 1986 and has not resulted in the conversion of adjacent farmland. In addition, the function of an LPOE is to provide secure and controlled access across the international border. The LPOE does not improve transportation access or subject surrounding properties to development pressure.

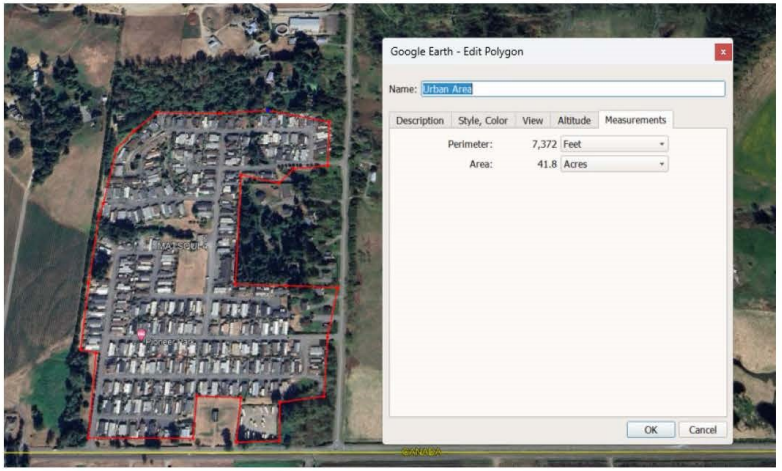
1. How much land is in non-urban use within a radius of 1.0 mile from where the project is intended?

A radius of 1-mile from the project area contains approximately 2,020.16 acres.

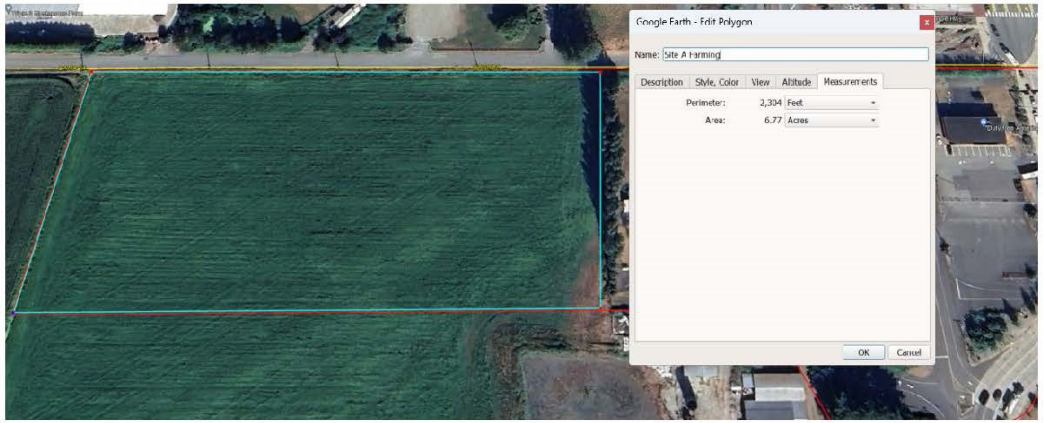
1. How much land is in non-urban use within a radius of 1.0 mile from where the project is intended?



Major urban areas within 1.0 mile of the project area account for approximately 89.8 acres, making the other 1,930.36 acres non-urban.

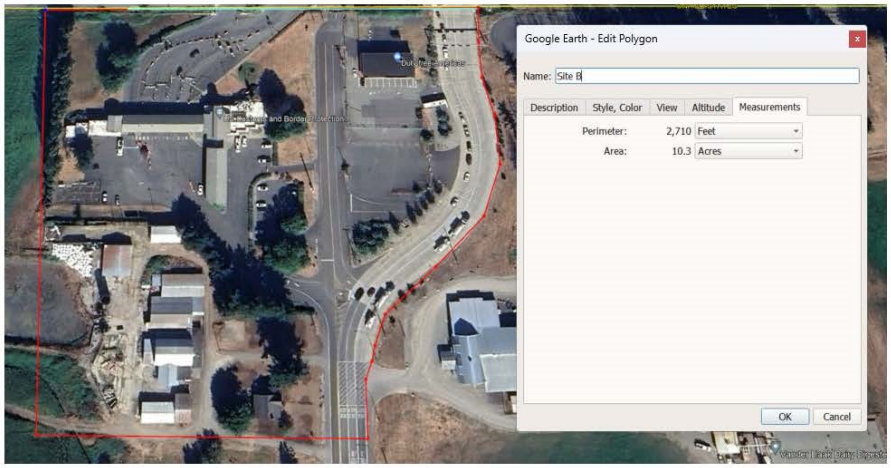


3. How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last ten years?

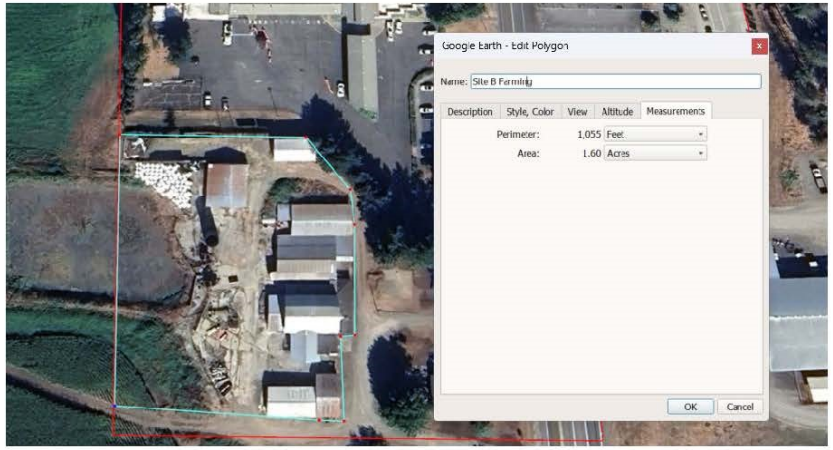


Site A consists of approximately 14.4 acres. Within Site A, approximately 6.77 acres have been used for farming, which makes up 47.0 percent of Site A.

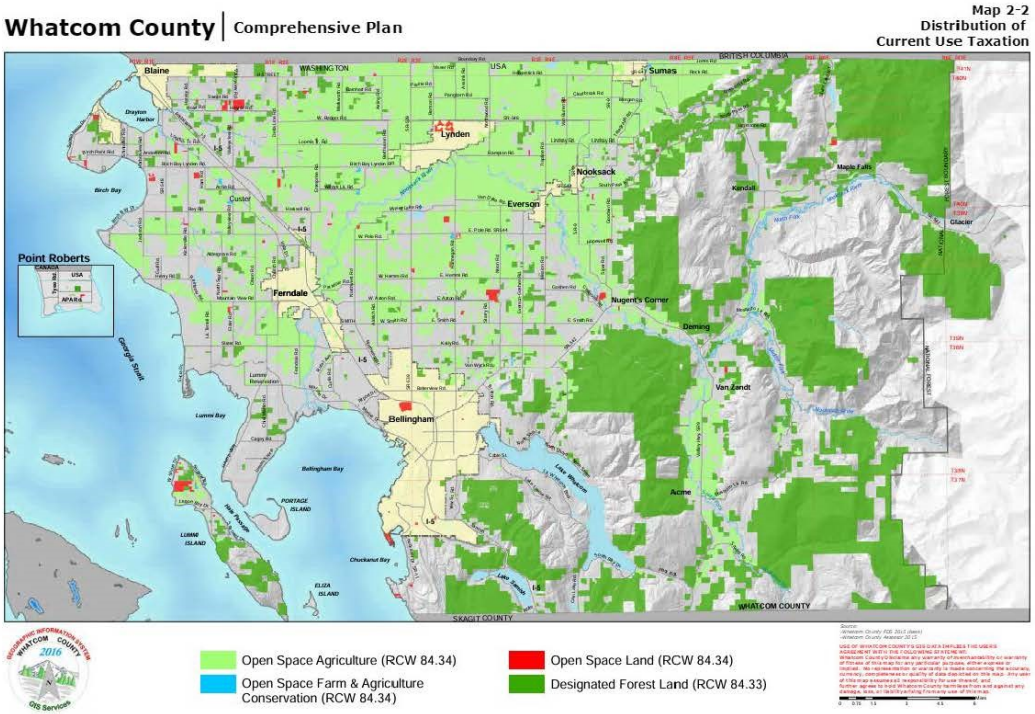
3. How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last ten years?



Site B consists of approximately 10.3 acres. Within Site B, approximately 1.60 acres has been used for farming, which makes up 15.5 percent of Site B.

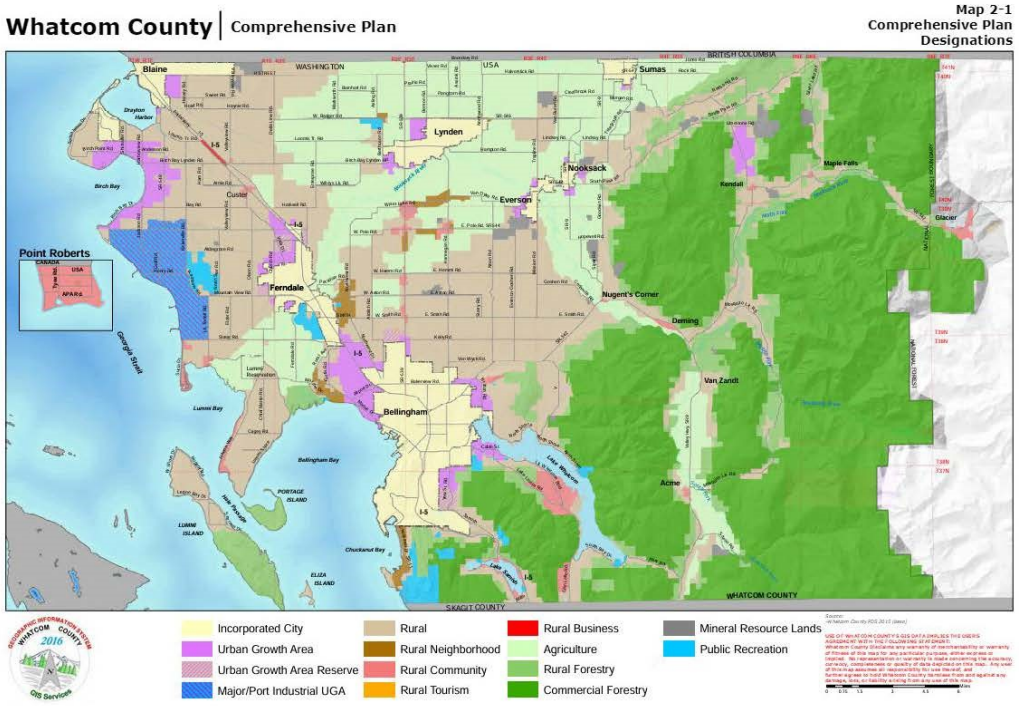


4. Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?



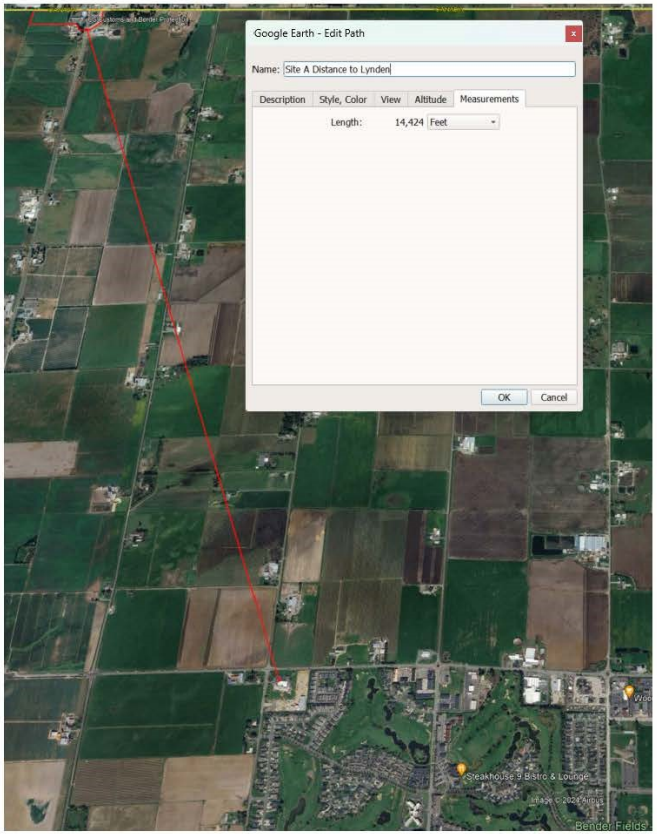
The project site containing the farm is enrolled in Whatcom County's Open Space Taxation Program, which is a property tax reduction program administered according to the Washington State Open Space Taxation Act, 84.34 RCW and its rules WAC 458-30. Under this program, the land is classified as "Open Space Agriculture".

4. Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

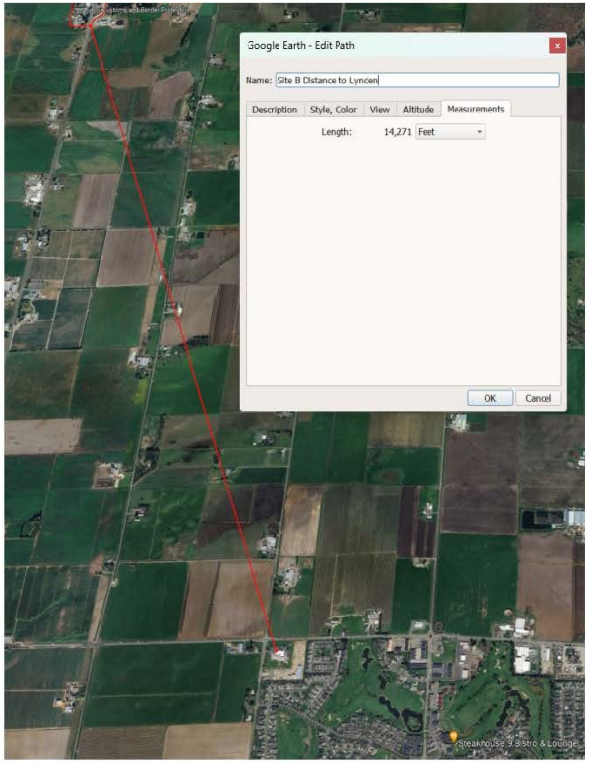


The project site designation is listed as "Agriculture" in the Whatcom County Comprehensive Plan.

5. How close is the site to an urban built-up area?



The closest built-up urban area to Site A is Lynden, which is located approximately 14,424 feet away. Lynden was also the closest built-up urban area to Site B, with it being located approximately 14,271 feet away.



6. How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use?

Power lines located within and adjacent to the parcel the farmland is located on can be seen on Google Earth imagery, in addition to Guide Meridian Road. Photographs taken for the Phase 1 ESA for the Lynden LPOE show drains serving a municipal stormwater sewer in the parking lot of the Duty-Free Store, which is approximately 0.1 miles from the parcel.

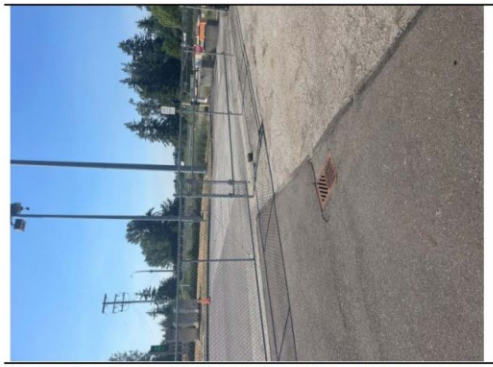
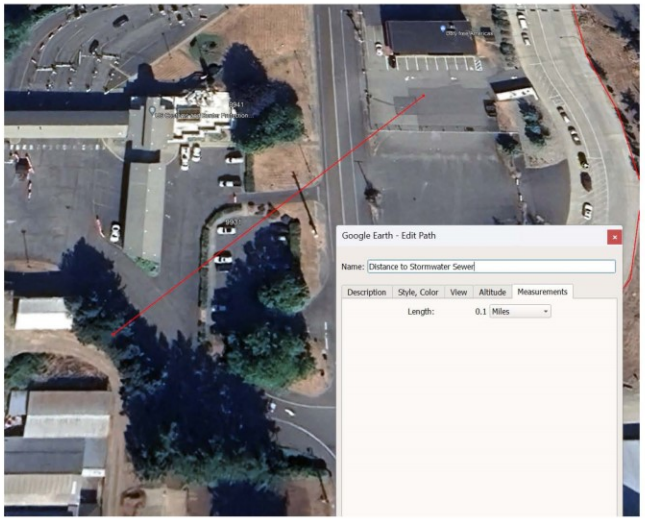
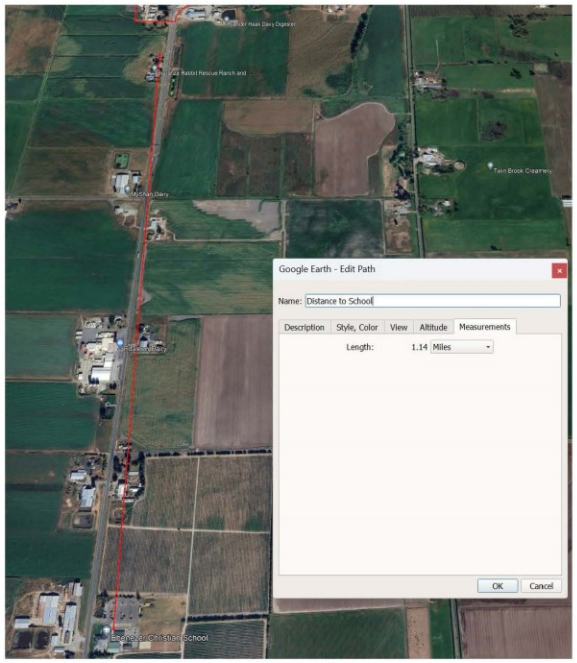


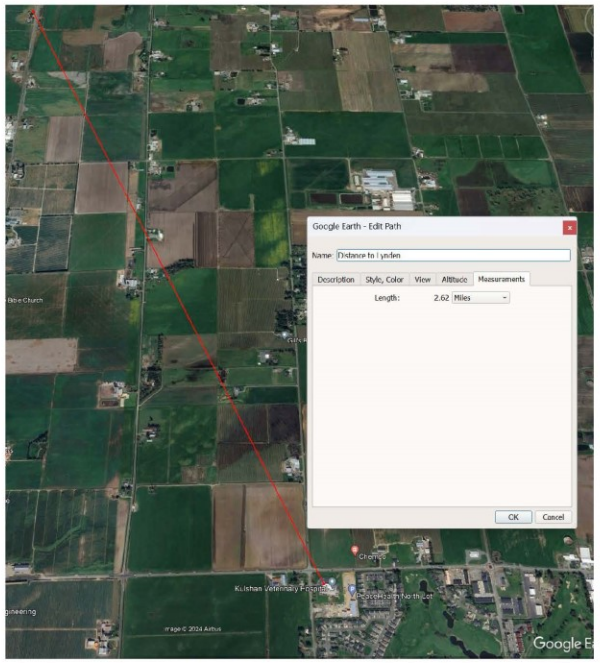
Photo 23: Example storm drain located in S parking lot of DFA. Photo is S of DFA looking S. New pavement is presumed area of removed USTs

Photo 24: Example storm drain and orange monitoring well located in S parking lot. New pavement is presumed area of removed USTs.



6. How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use?





Ebeneezer Christian School is located approximately 1.14 miles away from the parcel. The city of Lynden is about 2.62 miles away from the parcel, which likely contains other services such as water and gas lines.

7. Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county?

Total and Per Farm Overview, 2022 and change since 2017

	2022	% change since 2017
Number of farms	1,582	-8
Land in farms (acres)	102,886	0
Average size of farm (acres)	65	+9
Total	($)	
Market value of products sold	510,266,000	+37
Government payments	3,983,000	+280
Farm-related income	10,639,000	+28
Total farm production expenses	407,274,000	+25
Net cash farm income	117,613,000	+106

4 Percent of state agriculture sales

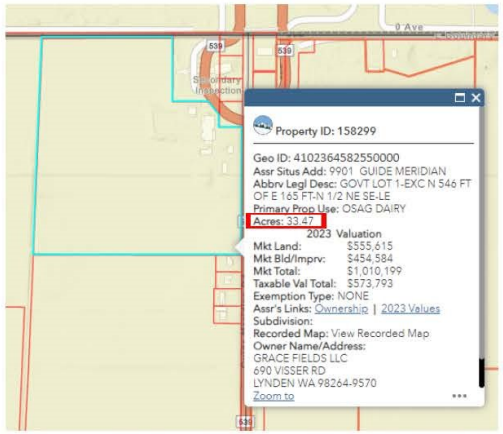
Share of Sales by Type (%)

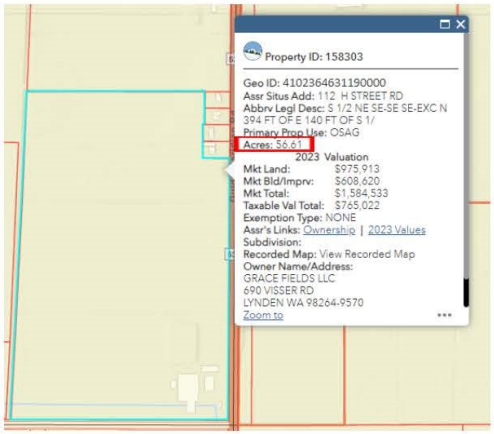
Crops	51
Livestock, poultry, and products	49

Land in Farms by Use (acres)

Cropland	64,682
Pastureland	7,764
Woodland	16,800
Other	13,640

According to the 2022 Census of Agriculture County Profile for Whatcom County, Washington, the average size of a farm is 65 acres. According to the Whatcom County Tax Parcel Viewer, the farm located within the project area is owned by Grace Fields LLC and encompasses Parcel 158299 and 158303 for a total of 90.08 acres.





8. If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

For Site A, none of the remaining farmland is expected to become non-farmable due to interference with land patterns.

For Site B, due to the loss of multiple farming structures located on it, the current owners' ability to farm the land would be substantially impacted, but with new ownership or a lease agreement, the land would still be farmable. Additionally, the farm appears to include another set of farming buildings located to the south of the project site that would not be impacted by the proposed project and could likely allow the operation of the farm to continue.

9. Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

The farm is located in an area surrounded by multiple different farmlands. Due to the large presence of farms in the area, the area appears to provide at least adequate farm support services. Therefore, it is assumed that the site has all required services available to it.

10. Does the site have substantial and well-maintained on farm investments such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

Site A appears to be used for growing crops, meaning that it likely contains maintained tile drains. Additionally, the property owner has likely made considerable investments into soil maintenance and fertilizer

Site B has multiple farming structures located on it that are used for the storage of farming equipment, including two barns and three sheds. These farm investments represent a significant amount of the total investments present throughout the entire farm. However, the farm appears to include another set of farming buildings located to the south of the project site that would not be impacted by the proposed project. Support from these farming investments would likely allow the operation of the farm to continue.

11. Would the project at this site, by converting farmland to nonagricultural use, reduce the support for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

The project would not be expected to significantly reduce the support for farm support services. The farm within the project area is surrounded by multiple different agricultural areas, meaning that sufficient amounts of farm support services that can support other farms are likely present.

12. Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of the surrounding farmland to nonagricultural use?

The proposed use of the site will be the operation of the modernized and expanded Lynden LPOE. It is unlikely that this purpose would be incompatible with the surrounding farmland, as the Lynden LPOE has been in operation since 1986 and has not resulted in the conversion of adjacent farmland.

A.2.3 Farmland Conversion Impact Rating Form, Sumas LPOE

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*		Date Of Land Evaluation Request 7/2/2024	
Name of Project Sumas Land Port of Entry Modernization		Federal Agency Involved General Services Administration	
Proposed Land Use Land Port of Entry		County and State Whatcom County, Washington	
PART II *(To be completed by NRCS)*		Date Request Received By NRCS	Person Completing Form:
Does the site contain Prime, Unique, Statewide or Local Important Farmland? *(If no, the FPPA does not apply - do not complete additional parts of this form)*	YES ☐ NO ☐	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Amount of Farmland As Defined in FPPA Acres: %	
Name of Land Evaluation System Used	Name of State or Local Site Assessment System	Date Land Evaluation Returned by NRCS	

PART III *(To be completed by Federal Agency)*	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	0	0	0	
B. Total Acres To Be Converted Indirectly	0	0	0	
C. Total Acres In Site	12.9	12.9	12.9	
PART IV *(To be completed by NRCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide Important or Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)				

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)*	**Maximum Points**	Site A	Site B	Site C	Site D
1. Area In Non-urban Use	(15)	8	8	8	
2. Perimeter In Non-urban Use	(10)	0	0	0	
3. Percent Of Site Being Farmed	(20)	0	0	0	
4. Protection Provided By State and Local Government	(20)	0	0	0	
5. Distance From Urban Built-up Area	(15)	0	0	0	
6. Distance To Urban Support Services	(15)	0	0	0	
7. Size Of Present Farm Unit Compared To Average	(10)	0	0	0	
8. Creation Of Non-farmable Farmland	(10)	0	0	0	
9. Availability Of Farm Support Services	(5)	5	5	5	
10. On-Farm Investments	(20)	0	0	0	
11. Effects Of Conversion On Farm Support Services	(10)	0	0	0	
12. Compatibility With Existing Agricultural Use	(10)	0	0	0	
TOTAL SITE ASSESSMENT POINTS	160	13	13	13	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	0	0	0	0
Total Site Assessment *(From Part VI above or local site assessment)*	160	13	13	13	0
TOTAL POINTS *(Total of above 2 lines)*	260	13	13	13	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES ☐ NO ☐

Reason For Selection:

Name of Federal agency representative completing this form: Lukas Lightcap (PHE - Contractor) Date: 7/2/2024

(See Instructions on reverse side) **Form AD-1006 (03-02)**

Sumas Land Port of Entry
Federal Farmland Protection Policy Act (FPPA)
Farmland Conversion Impact Rating Form Backup

Note that in the Farmland Conversion Impact Rating Form, Site A is Sumas LPOE Alternative 2, Site B is Sumas LPOE Alternative 3 and Site C is Sumas LPOE Alternative 4. Alternative 1 is the Sumas LPOE No Build, which would maintain the current Sumas Land Port of Entry in its current condition and would have no impacts on farmland soils or farms.

1. **How much land is in non-urban use within a radius of 1.0 mile from where the project is intended?**

55 to 59 percent = 8 points.

A circle displaying a 1.0-mile radius from the Sumas Land Port of Entry was created using Google Earth Pro. Within this radius, non-urban areas were identified and outlined on both sides of the United States and Canadian border. The total area within the 1.0-mile radius is approximately 2,020.16 acres, and non-urban space accounted for 1,131.5. acres, or 56.0 percent of the land within the radius.

2. **How much of the perimeter of the site borders on land in non-urban use?**

20 percent or less = 0 points

None of the site perimeter borders on land in non-urban use.

3. **How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last ten years?**

Less than 20 percent = 0 points

None of the site has been farmed in the last 10 years.

4. **Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?**

Not protected = 0 points

The project site is located in an urban growth area and is not subject to government/private policies or programs to protect farmland.

5. **How close is the site to an urban built-up area?**

The site is adjacent to an urban built-up area = 0 points

The site is located within an urban area.

6. **How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use?**

All of the services exist within 1/2 mile of the site = 0 points

The site is located within an urban area within the vicinity of local facilities and services whose capacities and design would promote nonagricultural use.

7. **Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county? (Average farm sizes in each county are available from the NRCS**

Sumas Land Port of Entry
Federal Farmland Protection Policy Act (FPPA)
Farmland Conversion Impact Rating Form Backup

field offices in each state. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with $1,000 or more in sales.)

Whatcom County average farm unit size: 65 acres
50 percent or below county average = 0 points

A farm unit is not present on the site.

8. **If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?**

5 percent or less = 0 points

A farm unit is not present on the site.

9. **Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?**

All required services are available = 5 points

The site is located in an area with multiple different farmlands in the vicinity. Due to the large presence of farms in the area, it's likely that the site would have all required services available to it.

10. **Does the site have substantial and well-maintained on farm investments such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?**

No on-farm investments = 0 points

A farm unit is not present on the site.

11. **Would the project at this site, by converting farmland to nonagricultural use, reduce the support for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?**

No significant reduction in demand for support services if the site is converted = 0 points

A farm unit is not present on the site.

12. **Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of the surrounding farmland to nonagricultural use?**

0 points

Farm units are not present on the site or immediately surrounding it.

1. How much land is in non-urban use within a radius of 1.0 mile from where the project is intended?

A radius of 1-mile from the project area contains approximately 2,020.16 acres.

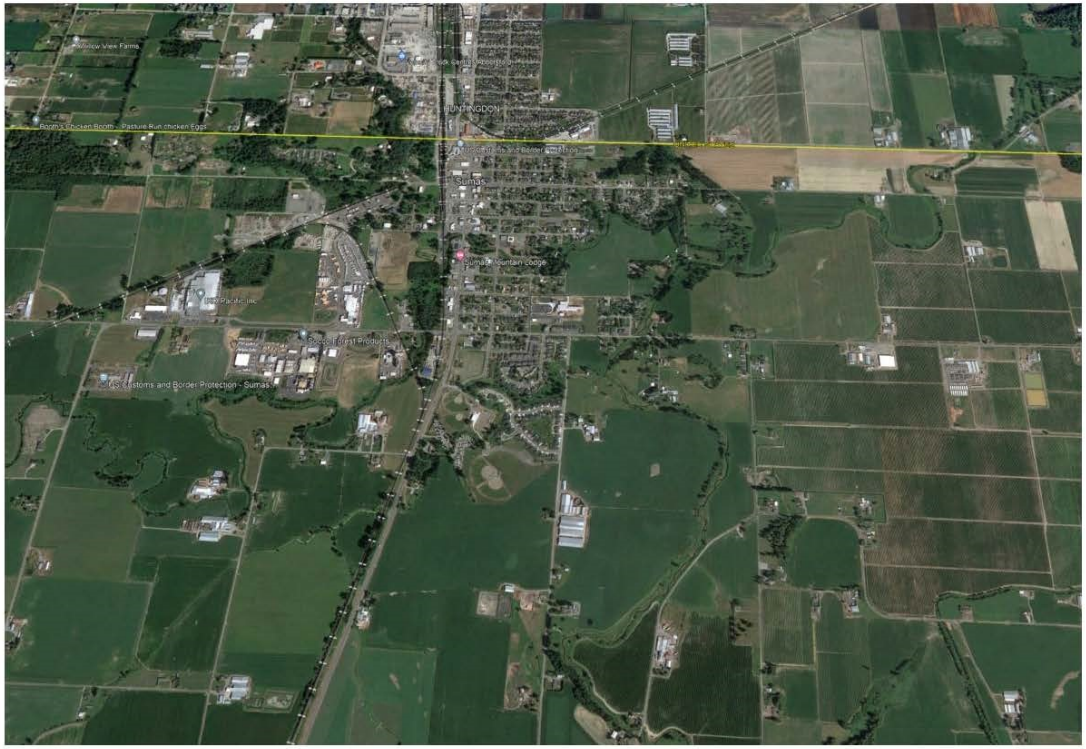
1. How much land is in non-urban use within a radius of 1.0 mile from where the project is intended?

Non-urban areas within 1.0 mile of the project area account for approximately 1,131.5 acres

2. How much of the perimeter of the site borders on land in non-urban use?

None of the perimeter of the site borders non-urban use land.

9. Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?



The site is located in an area with multiple different farmlands in the vicinity. Due to the large presence of farms in the area, it's likely that the site would have all required services available to it.