

**DEPARTMENT OF HOMELAND SECURITY**  
**FINDING OF NO SIGNIFICANT IMPACT**  
**FOR**  
**ACTIONS TO ADDRESS AN INCREASED INFLUX OF UNACCOMPANIED ALIEN**  
**CHILDREN AND FAMILY UNITS ACROSS THE SOUTHWEST BORDER**  
**OF THE UNITED STATES**

**Background:**

The June 2, 2014 Presidential Memorandum *Response to the Influx of Unaccompanied Alien Children Across the Southwest Border* described the influx as an “urgent humanitarian situation” requiring a unified and coordinated Federal response. The memorandum is available on-line at <http://www.whitehouse.gov/the-press-office/2014/06/02/presidential-memorandum-response-influx-unaccompanied-alien-children-acr>. In this memorandum, the President directed the Secretary of Homeland Security (Secretary) to establish an interagency Unified Coordination Group to ensure unity of effort across the executive branch in responding to the humanitarian aspects of the situation, consistent with the Homeland Security Act of 2002 and Homeland Security Presidential Directive-5 (Management of Domestic Incidents), including coordination with State, local, and other nonfederal entities.

In addition to the influx of unaccompanied alien children, there is also an increase in the number of family units entering the United States. The Department of Homeland Security (DHS) is responsible for the apprehension, processing, detention and removal of such persons crossing the southwest border into the United States without authorization. The unprecedented increase in the number of apprehended persons has the potential to fill or exceed the capacity of the DHS supporting infrastructure (real property for processing and housing apprehended persons, services including medical care, transportation, utilities, meals, hygiene, recreation, etc.) currently available. Therefore, action is being considered at the DHS Headquarters level to provide increased and expedited allocation of Departmental resources in the following three areas: 1) provide adequate facilities for Customs and Border Protection (CBP) to safely house unaccompanied alien children (normally for no more than 72 hours) and family units until they can be transferred to the Department of Health and Human Services (HHS) and Immigrations and Customs Enforcement (ICE) respectively, and provide adequate facilities for ICE to safely house family units; 2) provide transportation (land, air, water) between intake, processing, and housing facilities, as well as between these facilities and physicians and dentists offices, hospitals, consular offices, and airports or other transportation hubs, and 3) provide medical care, including to treat, prevent, and minimize the spread of communicable illnesses.

In accordance with the National Environmental Policy Act (NEPA) of 1969, the DHS procedures for implementing NEPA (DHS Directive 023-01, Environmental Planning Program), and the Council on Environmental Quality’s (CEQ) NEPA implementing regulations at 40 CFR Parts 1500-1508, DHS prepared a Programmatic Environmental Assessment (PEA) to evaluate the potential impacts to the human environment resulting from increased Departmental activities necessary to process, detain, and transport UAC and families.

**Applicability:**

This Finding of No Significant Impact (FONSI) is intended to cover DHS activities, whether at Headquarters or in a Component under existing authorities during the current increased influx of unaccompanied alien children and family units and any future such influx as result of which any Component of DHS requires rapid acquisition of housing or detention space for such persons. DHS recognizes that this PEA may need to be revised or augmented or new environmental analysis may be needed if there are policy or legislative changes that would require significant changes to DHS' operations with regard to unaccompanied alien children and/or family units that enter into the United States illegally. If DHS makes any substantive changes to this FONSI, DHS will make the revised document available to the public.

**Purpose and Need for Action:**

The purpose of the Proposed Action is to implement DHS response to the influx of unaccompanied alien children and family units entering the United States across the southwestern border, and to identify a process for efficient and effective environmental review for action(s) subject to NEPA.

DHS is responsible for apprehension, processing, detention, and removal of persons crossing the border into the United States without authorization. Unaccompanied alien children and family units are crossing the border at a higher-than-anticipated rate. The need for the Proposed Action is based on the existing and expected increase in the number of apprehended persons being processed that may exceed the then current capacity of the DHS support infrastructure (e.g., housing and associated services, transportation, and medical care). In addition, the need for the Proposed Action is to meet the requirements in the June 2, 2014 Presidential Memorandum to address the humanitarian situation.

**Alternatives:**

The PEA evaluated two alternatives: No Action and Proposed Action.

Inclusion of the No Action Alternative is prescribed by CEQ regulations (40 CFR 1502.14) as the benchmark against which proposed federal actions are evaluated. Under the No Action Alternative, no additional facilities and services would be acquired in an accelerated fashion. That would result in existing holding facilities becoming increasingly overcrowded with potential for deteriorating health and safety conditions of the inhabitants. In addition, transportation services, on-going care, and medical treatment of unaccompanied alien children and family units by DHS would continue to be strained, resulting in potential unsafe working conditions.

The No Action alternative is not viable because it would not satisfy the requirements of the Presidential Memorandum, including decisions that need to be made by the Secretary pursuant to the memorandum, and because of the potential for adverse impacts to human health and safety if there is no accelerated increase in facilities and services to address the influx of unaccompanied alien children and family units.

**Description of Proposed Action:**

DHS proposes to increase, in accelerated fashion, its capacity for managing unaccompanied alien children and family units crossing the southwest border of the United States during the present humanitarian situation until said persons can have their status determined or, in the case of unaccompanied alien children, can be transferred to HHS-ORR. Increased DHS capacity is needed in the following areas: temporary detention space and housing, transportation, childcare, and medical care. The DHS actions do not include the HHS actions taken to meet the needs of unaccompanied alien children while in HHS care

and custody.

**Affected Environment and Consequences:**

Implementation of the Proposed Action has the potential to affect the human environment. The Proposed Action is limited to acquisition, renovation, and minor expansion of existing facilities, use of existing transportation routes, and new construction or transportation routes in areas where environmentally sensitive resources are either not present or where impacts to such resources would be avoided, minimized, or mitigated to insignificance. The following table identifies the affected environmental resources and the extent of impacts anticipated from implementation of the Proposed Action. For each resource area, criteria are provided in Table 1 of the PEA that constrain activities such that the anticipated impacts from implementation of the Proposed Action are not significant. DHS has identified mitigation measures which would reduce potential impacts to a level below significance; these measures are presented in Section 11 of the PEA. Proposed actions that would not meet these conditions or requirements, or that would exceed the identified impacts would require a site- or activity-specific EA tiered from this PEA, a stand-alone EA, or the development of alternative arrangements with CEQ pursuant to 40 CFR 1506.11 for activities that would normally require preparation of an EIS.

Resource/Area of Evaluation	Anticipated Impacts
Land Use	None to Minor
Geology, Soils, and Seismicity	None to Minor
Water Resources	Minor
Floodplains	None to Minor
Wetlands	None to Minor
Biological Resources – Vegetation, Birds and Wildlife	None to Minor
Biological Resources – Listed Species, Critical Habitat, and Special Status Species	None to Minor
Hazardous Materials/Waste/Solid Waste	Minor
Historic Properties	None to Minor
Air Quality	Minor
Noise	Minor to Moderate
Greenhouse Gas and Climate Change	Minor
Electricity	Minor
Traffic and Transportation Systems	Minor
Human Health & Safety	Beneficial
Socioeconomic	Minor Beneficial; Minor Adverse

**Findings and Conclusions:**

Implementation of the Proposed Action by activities that meet the criteria presented in Table 1 of the PEA and follow applicable mitigation measures in Section 11 of the PEA would not result in significant impacts to any of the resources analyzed in the PEA. Compliance with the Endangered Species Act and the National Historic Preservation Act are expected as indicated in Table 1 of the PEA. Therefore, an Environmental Impact Statement (EIS) will not be prepared. Proposed activities that do not meet the criteria presented in Table 1 of the PEA, which may include but are not limited to activities involving extensive ground disturbance on previously undisturbed or undeveloped land, extensive disturbance or removal of habitat, or that would require significant changes to buildings and infrastructure, historic or otherwise (e.g., transportation systems, energy, water supply, water treatment) that may exceed existing or planned capacities, may require additional analysis of the environmental effects tiered to this PEA, or

alternative arrangements developed with CEQ pursuant to 40 CFR 1506.11 for activities that would otherwise require preparation of an EIS.

DHS, in implementing the Proposed Action, will employ all practical and reasonable means to avoid, minimize, and/or mitigate to a level below significance the potential adverse impacts on the quality of the human environment, consistent with accomplishment of its mission and faithful execution of the Presidential Memorandum. Therefore, a Finding of No Significant Impact (FONSI) is warranted.



8/12/14  
Date

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