



Working to conserve the natural beauty, diverse wildlife habitats, water quality and outdoor recreation opportunities of the 1000 Islands region, for present and future generations.

February 28, 2022

John P. Petrilla
Environmental Branch Chief, Acting
Border Patrol & Air and Marine PMO
U.S. Customs and Border Protection

Sent via email: BPAMNEPA@cbp.dhs.gov

RE: US Customs and Border Protection Facility near Blind Bay, Town of Orleans, Jefferson County, NY

Dear Mr. Petrilla,

The Thousand Islands Land Trust (TILT) is strongly opposed to Customs and Border Protection's proposal to build a new US Customs and Border Protection (USCBP) facility in the Blind Bay area at Fisher's Landing, Town of Orleans, NY.

TILT was founded in 1984 by a group of year-round and seasonal residents of the Town of Clayton. The members shared a strong love for the Region, but also the concern that increasing development pressure could lead to the loss of the sensitive habitats, diverse wildlife, water quality and scenic beauty that is so unique to the Thousand Islands and St. Lawrence River Valley. The group understood that a balance of land conservation and responsible land development is critical to the protection of the very foundation that supports our Region's ecological health, economic vitality, and quality of life.

TILT was the first, and is currently the only, land trust to focus exclusively on the conservation, protection, and restoration of the environmental integrity and water quality on the US side of the Thousand Islands. TILT manages preserves, nature trails and conservation easements in towns ranging from Cape Vincent, Jefferson County, to Morristown, St. Lawrence County. Conserving over 13,000 acres of critical habitat that supports a variety of threatened and endangered species, TILT has a substantial, vested interest in protecting the environmental integrity of the Region.

In 2016, TILT conserved a 16.1-acre property that borders the proposed USCBP facility site on Blind Bay in the Town of Orleans. TILT acquired this property with support from federal funding through the North American Wetlands Conservation Act (NAWCA) in order to protect its unique sensitive habitats and other natural features and functions. As described in the NAWCA grant narrative, the property is predominantly forested and provides a buffer for safe wildlife movement onto the mainland, providing critical habitat for migratory passerines as they move north and south during their seasonal migration. In addition, prevention of development along this stretch of shoreline will reduce disturbance to a great diversity of waterfowl

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ranging from species such as Common Goldeneye and Common Merganser to rarities including Harlequin Duck and Barrows Goldeneye.

In short, the construction, operation, and maintenance of the proposed US Customs and Border Protection facility will not only threaten TILT's and the federal government's existing investments in this conserved property, but it poses adverse ecological impacts and other disconcerting outcomes to Blind Bay and the broader Thousand Islands area.

Notably:

- The New York State Department of State has designated St. Lawrence River Shoreline Bays as "Significant Coastal Fish and Wildlife Habitats". Blind Bay is specifically referenced in this designation. The NYSDOS clearly articulates that this habitat type is *irreplaceable*, and not "locally and regionally common" as indicated in the draft environmental assessment.
- The diverse and undeveloped upland, wetland and riparian habitats that define Blind Bay currently support a wide array of native flora and fauna that would be permanently disrupted by the proposed facility. This includes many rare and threatened species of fish and wildlife, from secretive marsh birds, waterfowl and neotropical songbirds to countless fish and herpetofauna. The ecological importance of this area cannot be overstated.
- More specifically, the region is part of the larger Atlantic Flyway which encompasses some of the hemisphere's most productive ecosystems. Eastern Lake Ontario, the Thousand Islands and the St. Lawrence River Valley are a "hot spot" for migrating, breeding and nesting grassland bird species. High Priority Species of Greatest Conservation Need like the Eastern Meadowlark and NYS Threatened Species like the Northern Harrier are likely to be impacted by the proposed facility. Other impacted species include waterfowl such as Scaup, Black Duck, and Northern Pintail that frequent the undeveloped shoreline of Blind Bay.
- Blind Bay itself is a shallow littoral aquatic ecosystem with submersed vegetation that provides critical spawning, rearing and foraging habitat for a broad range of fish species. As recorded through surveys completed by the State University of New York College of Environmental Science & Forestry (SUNY ESF) Thousand Islands Biological Station, 53 fish species, including the Region's most important sportfish, muskellunge, have been documented in the Bay. St. Lawrence River muskellunge, or Muskie, have experienced a significant and recent decline due to losses associated with viral hemorrhagic septicemia (VHS). Maintenance of high-quality spawning and nursery habitat is critical to ensuring population recovery and sustainability. Dredging, boat traffic and other direct and indirect impacts associated with the facility will further exacerbate the decline of the iconic Muskie.
- Other, NYS Species of Concern and Species of Conservation Need in the Blind Bay record include: American eel, blackchin shiner, and bridle shiner. Surveys completed by SUNY ESF Thousand Islands Biological Station also collect data on turtles. NYS Species of Concern and Species of Conservation Need, include the Eastern musk turtle and map turtle, both of which are known to occur in Blind Bay
- The geophysical degradation resulting from the facility's construction, operation, and maintenance would void nearly all ecosystem services currently being provided by the property. Instead of flood mitigation and water filtration, there would be increased runoff and detrimental impacts to near-shore water quality. This concern is further compounded by the risks of hazardous soil and water contaminations from on-site fuel storage and parking facilities.
- Per the economic benefits study conducted by The Trust for Public Land and peer reviewed by Clarkson University, preserves, trails, and conserved open spaces are valuable components of healthy, flourishing communities. These amenities attract visitors to the Region, enhance property values, provide

recreational opportunities and boost responsible economic development. The study quantifiably illustrates that preserves, trails, and conserved open spaces in the Thousand Islands are key economic drivers that contribute millions in economic benefits annually throughout the River communities. The USCBP facility would not only eliminate the proposed site as natural open space, but it would directly impact the ecosystem services and economic benefits provided by TILT's adjacent preserve.

- Furthermore, the Thousand Islands and the St. Lawrence River Valley are located in the heart of the Frontenac Arch Wildway. The Frontenac Arch is a geological feature that connects the Adirondack Mountains to the Algonquin Park and Canadian Shield, creating an intersection that marks one of the highest levels of biological diversity in North America. Habitat fragmentation, land use changes, and physical barriers, such as high fences, could forever alter the future of this unique landscape.

The cumulative environmental consequences of habitat fragmentation, edge encroachment, migration barriers such as perimeter fencing, noise and light pollution, and wetland degradation will have lasting impacts that reach far beyond the boundaries of the 18.9-acre facility site being proposed.

To this point, the necessary wildlife studies, impact assessments and comprehensive siting plans have not been completed. For an impact study to be comprehensive and complete, it is essential that all project components/phases being proposed be included in the environmental assessment authored by Gulf South Research Corporation. More specifically, the draft environmental assessment does not take into consideration the entire scope of direct and indirect impacts that the dredging and new docks associated with the facility will have on both the project footprint and in adjacent areas through sedimentation, habitat change, and the continual use of docks and exposure to activity-related pollutants. Wetlands are especially sensitive to these disturbances.

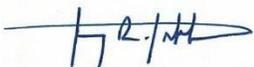
The draft environmental assessment states, "Although no impacts to aquatic state-listed species would occur, additional surveys may be necessary prior to constructing the boat dock and ramp to determine whether blackchin shiner currently occurs in the St. Lawrence River adjacent to the proposed project site." This statement in itself is contradictory at the same time confirms that the draft assessment is inconclusive.

Upon thorough review, it is evident that the circulated *DRAFT ENVIRONMENTAL ASSESSMENT* and *DRAFT FINDING OF NO SIGNIFICANT IMPACT* fail to adequately address the full breadth of cumulative implications of the proposed facility. While we agree with the Gulf South Research Corporation's conclusion that many of the associated impacts will likely be PERMANENT, describing the impacts as negligible is at best misleading.

The Thousand Islands Land Trust Board of Trustees recognizes that this letter does not take into consideration other impacts that the proposed facility would present. Additional areas of impact include, but are not limited to, human health, visual aesthetics, river navigation, traffic implications, property values, land use, tourism, and local economies.

While TILT is supportive of projects that bolster local economic development and that advance border protections, TILT vehemently opposes the US Customs and Border Protection facility proposed for Blind Bay.

Sincerely,



Jake R. Tibbles
Executive Director