



The Tracker



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New Newsletter to Track Public Lands Issues, Provide Early Heads Up

Welcome to the first issue of our new Public Lands Liaison Agent (PLLA) newsletter, **The Tracker!** It is published by the Planning Branch of the Strategic Planning, Policy and Analysis (SPPA) Division at Border Patrol Headquarters.

Most of you already know Assistant Chief Roy Dahlstrom, national coordinator for the PLLA program. He has been joined by Program Analyst Elaine Koerner who will be working with him on the newsletter and other environmental and strategic planning issues. Program Analyst Daniel Schroeder also is part of the Headquarters PLLA team.

The Tracker will be published twice a year and serves several purposes. The most important is to help our Public Lands Liaison

Agents stay on top of issues and events that relate to their liaison role.

Another goal is to help the PLLA program become better known throughout U.S. Customs and Border Protection (CBP). Finally, we want to provide a forum for our PLLAs to communicate across sectors to leverage best practices.

The Tracker will be available on the CBPnet Secure PLLA website at: <http://cbpnetsecure.cbp.dhs.gov/sites/obp/SPPA/Pages/PLLA.aspx>.

Give us your feedback on this first issue by sending an e-mail to Elaine.Koerner@dhs.gov or Roy.Dahlstrom@dhs.gov. We look forward to hearing from you.

Message from the Chief



David V. Aguilar
Chief, U.S. Border Patrol

Since the Public Lands Liaison Agent program was formally established in December 2005, it has become an integral part of the National Border Patrol

Strategy by strengthening our operations through clear, consistent communication to our many partners and stakeholders.

For example, PLLAs played a critical role in outreach and liaison work during the earliest phases of the Secure Border Initiative. The program's value in helping to resolve environmental and cultural issues on public lands along both borders and in our coastal areas is indisputable.

The time has come to create a systematic communications tool so that the pro-

gram can further build upon its success. This forum, *The Tracker*, will not only better enable our PLLAs to carry out their responsibilities, but can also be used to educate and inform our partners about our efforts.

The Tracker is a "must read" for all PLLA agents and those who work with them. It will allow all Border Patrol personnel to become more familiar with the PLLA program and its benefits. In this manner, we will continue to emphasize the unique role the program plays in supporting core operations.

PLLA History: A Snapshot

It's hard to believe that our Public Lands Liaison Agent program is only a little over three years old. Currently, Border Patrol Agents in each sector are carrying out either fulltime or collateral PLLA responsibilities.

The PLLA program officially began on December 8, 2005, when Chief Aguilar issued a memo calling for the creation of an officially recognized position called "Public Lands Liaison Agent," describing it as a "best practice."

In the memo, he states, "... *The Border Patrol has long been committed to minimizing any negative environmental impacts incidental to fulfilling the requirements of our mission to secure the border. A Public Lands Liaison Agent works to foster better communication, increase the interagency understanding of respective mission objectives and priorities, and serve as a central point of contact within the Border Patrol to facilitate the successful resolution of environmental issues at a local level... .*"

A little over a year later, in March 2006, the Secretaries of the Department of Homeland Security, the Department of

the Interior (DOI), and the Department of Agriculture (which includes the Forest Service) signed a Memorandum of Understanding (MOU). This MOU committed the three agencies to cooperating on "*preventing illegal entry into the United States, protecting Federal lands and natural and cultural resources, and – where possible – preventing adverse impacts associated with illegal entry by [cross-border violators] CBVs.*" Although the PLLA position is not specifically mentioned, the MOU calls for CBP-BP to "*consult with*" land managers on a number of issues, including placement of tactical infrastructure.

Since that MOU was signed, the PLLA program has continued to grow, and the closer interaction with land managers has yielded significant benefits. In the meantime, additional cross-agency agreements have followed.

A Continuing Tradition

To some extent, ever since the Border Patrol was created in 1924, Border Patrol Agents have been reaching out to the communities where they live and work. They also have been cooperating

with their partners in other government agencies to resolve all sorts of issues, including environmental issues. Implicitly, if not explicitly, sitting down to have a cup of coffee with the Police Chief, Mayor, and other community leaders has been part of the job.

The Tucson Sector helped to pave the way for Chief Aguilar's 2005 memo by creating a position called Public Lands Liaison Agent back in May of 2004. Assistant Chief David Bemiller, Adjutant to the Deputy Chief, became the first formally appointed PLLA.

Assistant Chief Bemiller describes the approach he used as a combination of honesty, consistency, and willingness to listen. "Problems don't get any better with age. The challenge was met by frank discussions with environmental leaders to work towards a better understanding of our respective missions. Walk in their shoes, work joint operations, and find the commonalities between the agencies. Change requires action and time."

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Tri-Agency Working Group Reinforces Focus on Training

Many PLLAs come to the job with a sound understanding of the natural world gained through their personal and professional experiences. To build on this existing knowledge, the PLLA Program offers a wide range of training opportunities.

Some of the training takes place more informally as part of the PLLA's day-to-day duties. Examples are ride-alongs with tribal police, and regular meetings with public land managers to iron out any potential conflicts.

In other cases, it consists of offsite classroom courses, online modules, videos, and Power Point presentations. While some training products are developed in-house, others are jointly developed with land management agency partners, or are taught by outside groups.

The history of Border Patrol training on this topic tells a good news story: Sector records indicate that environmental and cultural awareness training has been part of the Border Patrol curriculum for nearly a decade. In the ensuing years, individual sectors developed location-specific products, with some sectors such

as the Tucson sector taking a strong lead.

Then, in 2005, the concept received a big boost with the establishment of the PLLA program. And in 2006, the Secretaries of the Departments of Homeland Security (DHS), Interior (DOI), and Agriculture (USDA) signed a Memorandum of Understanding (MOU) containing a provision that calls for DOI and USDA to "provide CBP-BP agents with appropriate environmental and cultural awareness training formatted to meet CBP-BP operational constraints." So the stage was set to move forward in a collaborative, tri-agency fashion.

Late in 2008, DHS/OBP initiated a working group consisting of representatives from all three agencies. The goal is to develop a systematic approach to this type of training that utilizes the resources already available and fills any gaps identified.

To provide a systematic framework, an environmental and cultural awareness training strategy is being developed.

Sector records indicate that environmental and cultural awareness training has been part of the Border Patrol curriculum for nearly a decade.

Official PLLA Policy Reinforces Value of Program

The PLLA Program is now an official component of Border Patrol policy. Signed by Chief Aguilar and issued on May 6, 2009, the new PLLA Policy clarifies and formalizes agent responsibilities and desired outcomes, and provides a reference document to increase the program's effectiveness across the agency. It contains sections that describe the duties of each PLLA as well as the responsibilities of other Border Patrol officials to support the program. It also covers topics such as training, reviewing environmental documents, and communicating with public lands managers and Sector command staff.

Perhaps most significantly, the policy encourages each Chief Patrol Agent to make the PLLA a full-time position unless he or she determines that the functions of the PLLA position can be carried out effectively as a collateral duty assignment.



Source: e2M under contract with the U.S. Army Corps of Engineers

The PLLA program offers a wide range of training opportunities (see article on Page 2) including presentations to help agents recognize threatened species such as this Otay tar plant. The plant is an endemic species that exists exclusively in San Diego County near Otay Mesa.

STEPP Steps In New Framework Integrates PLLA, Other Planning Programs

What is STEPP, and what is its connection to the PLLA Program?

Several months ago, the Border Patrol Planning Branch decided to take a step back and look at how it could better leverage some of the best practices that are emerging from the field regarding how well we partner with everyone, from the local community up to our more typical partnering with other Law Enforcement Agencies. Despite the fact that this type of partnering is a part of Border Patrol culture, we also realized that Congress is becoming increasingly interested in learning more about how Customs and Border Protection (CBP) is harnessing partnerships to the benefit of national security. Therefore, we found ourselves in a unique position of having the opportunity to record and memorialize some of the things resulting from partnerships that the Border Patrol has done instinctively for years.

The result was to create STEPP. The acronym STEPP stands for Strategic Engagement, Partnerships,

and Preparedness. STEPP includes both the PLLA Program and several other programs that focus on partnerships and outreach. The PLLA Program still exists in its own right. But it has been placed into a broader strategic planning framework that now is in place as a result of creating STEPP.

Besides the PLLA program, STEPP will include other projects that highlight our partnership approach to doing business. One is a management study focused on the northern border. Its goal is to capture, document, and promote best practices emerging from sector-level partnerships of all types, both within and outside the law enforcement community, and to encourage other sectors to adopt similar partnerships where appropriate. Another STEPP project will focus on strengthening partnerships within the CBP family, such as the Field Communications Branch, to identify emerging issues. And *The Tracker* is another outcome of creating STEPP.

PLLA Program Captures Ambassador Award

Recipients Include Border Patrol Headquarters and Field Personnel, DOI/USDA Partners

Each year, CBP honors employees throughout the agency for their efforts and achievements at the Commissioner's Awards. Among the awards presented is the prestigious CBP Ambassador Award which recognizes teams who improve CBP's visibility through intra-governmental and community outreach.

From dozens of nominations received from across the country, the PLLA Program was one of just five programs selected for this honor. At a ceremony held March 13, 2009, in Washington, D.C., Acting Commissioner Jayson Ahern and Secretary Janet Napolitano presented the 2008 Commissioner's Awards before a crowd of several hundred CBP employees and special guests.

In his nomination, Strategic Planning, Policy and Analysis Division Chief David R. Hoffman cited several PLLA achievements including the development and implementation of the memorandum of understanding regarding secure radio communication among DHS, DOI and USDA law enforcement components; the continuation of Borderlands Management Task Forces (BMTF) in Arizona and Southern California; the establishment of BMTFs in West Texas, South Texas and the Pacific Northwest; and active engagement in the assessment process for a pro-

posed wilderness area in Southern Arizona.

Those chosen to share in this award represent a broad coalition of Border Patrol Headquarters and field personnel. They include: Gerald Martino, Roy Dahlstrom, Patrick Whipple, Justin Bristow, Thomas Pocarobba, David Bemiller, Brian Martin, Shannon Kranz, Kevin Geller, Rick

Benavides, Thomas Munn, Richard Haynes, Rodolfo Karisch, Marc Guerrier and Wayne Lackner. Although every PLLA could not be included as an award recipient, it remains clear that the success of the program is due to the continued constructive efforts of the entire PLLA team.

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Photo provided by Assistant Chief Roy Dahlstrom

Chief David V. Aguilar and DOI Deputy Assistant Secretary Larry Parkinson congratulate CBP Ambassador Award recipients.

Pictured (left to right, back row): Deputy Assistant Secretary Parkinson, Kevin Gellar, Bruce Marto, Roy Dahlstrom, Daniel Wirth, Patrick Whipple; (front row) Sheila McFarlin, Chief Aguilar



Source: Denver Convention & Visitors Bureau

Known for its scenic views of the Rocky Mountains, Denver offers an ideal setting to discuss PLLA related issues.

2009 PLLA Meeting and Training Session Announced

The 2009 PLLA meeting and training session is now only weeks away! It is scheduled to take place on June 10th and 11th, in Denver, Colorado, with June 9th being set aside for an internal administrative session.

Presenters during the two-day session will include land management partners from the Department of the

Interior and the Department of Agriculture/Forest Service. Topics will include wilderness law, environmental stewardship, law enforcement partnership updates, success stories, Sector report-outs, training products, and other issues. The next issue of *The Tracker* will carry details on the presentations and outcomes.

PLLAs Continue to Play Key Role in Environmental Document Review — A Complex Task

Many of our PLLAs have been involved in reviewing environmental documents associated with the installation of fence, other tactical infrastructure and technology along the southwest border. Environmental document review is a complex undertaking and PLLA contributions to this process are invaluable.

The National Environmental Policy Act (NEPA) was signed into law on January 1, 1970, by President Richard Nixon. This Act requires all Federal agencies to prepare detailed statements assessing the environmental impact of, and alternatives to, major federal actions significantly affecting the environment. Examples of these statements are Environmental Assessments (EAs) and Environmental Impact Statements (EISs).

After the events of September 11, 2001, concern about national security greatly increased. One of the results was that the Secretary of DHS was granted authority to waive NEPA and other environmental laws in order to ensure the expeditious construction of tactical infrastructure along the U.S.-Mexico border. Despite the waiver authority, however, DHS has continued to carry out its environmental stewardship responsibilities.

In fact, DHS has created two new types of environmental documents that describe potential environmental impacts and assess alternatives. Once these documents created under the waiver have been signed off on, they are posted to a public website: <www.borderfenceplanning.com>.

One is called an Environmental Stewardship Plan (ESP). ESPs demonstrate the agency's continued commitment to responsible environmental stewardship of our valuable natural and cultural resources. The information in these documents is obtained through coordination with land management agencies, the public, and tribes, as appropriate.

Each ESP analyzes and documents potential environmental



Source: e2M under contract with the U.S. Army Corps of Engineers

Despite its waiver authority, DHS has created environmental documents called Environmental Stewardship Plans and Biological Resources Plans. These documents describe how the agency is continuing to carry out its environmental stewardship responsibilities, including issues associated with threatened and endangered species such as the Lesser Long-Nosed Bat.

consequences associated with each project. It describes the project, including its goals, discusses the public outreach and agency coordination involved, and provides an overview of potential environmental impacts by specific resource area. The ESP also describes any mitigation measures and best management practices that will be carried out to avoid or minimize any environmental impacts. These mitigation measures and best practices may include re-vegetation and placement of an environmental monitor onsite during construction to account for occurrences of special status species.

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Notes from the Field: A Partnership Success Story from Del Rio Sector



Photo provided by Del Rio Sector

Aerial view of Lake Amistad, where Border Patrol Lake Task Force Agents worked in partnership with National Park Service personnel to respond to boaters in distress.

Special Thanks to Darren "Smokey" Johnson, Patrol Agent in Charge of the Comstock Station, for contributing the following story.

On January 6, 2009, at approximately 5:00 p.m. National Park Service (NPS) personnel requested the assistance of Border Patrol Agents assigned to the Lake Amistad Task Force to respond to a report of an overturned vessel and subjects in the water. The boat capsized due to high winds on the lake which were gusting to 35 or 40 knots (40 to 45 miles per hour). Lake Task Force Agents, one of

whom is a first responder, were simultaneously dispatched via vessel and over the ground. The first agent arrived at the San Pedro Campground and found two of three reported subjects on shore. The Agent reported that the two subjects were suffering from hypothermia. EMS was contacted and arrived at the scene around 5:30 p.m., along with NPS. The third subject was later found a short distance away.

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The BMTF Connection

Intergovernmental Forum Bases Actions on Consensus

It may come as a surprise to some, but the Borderlands Management Task Force (BMTF) idea actually preceded creation of the PLLA program. The first BMTF was created in 2000 in our Tucson sector, and was chaired by the Bureau of Land Management within the Department of the Interior. Other BMTFs on the southwest border soon followed.

In the early days of the BMTFs, our southwest border sectors sent representatives to BMTF meetings on an ad hoc basis. However, once the PLLA program was created in 2005 and our sectors began to designate PLLA representatives, our PLLAs became the sectors' primary points of contact for BMTF meetings. That tradition continues today.

Each BMTF is an intergovernmental forum that iden-

tifies, discusses, and seeks to resolve issues about environmental and cultural resources on public lands along the border. Meetings take place as frequently as four times each year.

Federal, state, local and tribal government agency representatives are welcome to attend. Congressional representatives are invited to be ad hoc participants, and public and non-governmental organizations may attend when invited to non-sensitive portions of regular meetings or when invited to work on special projects. BMTF recommendations and actions are made by consensus, and all shared information identified as sensitive is intended exclusively for the individual members of the BMTF.

The headquarters component of the PLLA program continues to work closely

with the Department of the Interior to strengthen existing BMTFs and create new ones. All of our southwest border sectors are involved in BMTFs; creation of BMTFs in several of our northern border sectors is underway.



Source: U.S. Fish & Wildlife Service

Borderlands Management Task Forces are being created in several northern border Sectors to collaborate on complex issues such as patrol activities adjacent to grizzly bear habitat.

2009 BMTF Meeting Calendar

Jan 8 – Yuma	Apr 20 – El Centro	June 28 – El Centro
Jan 20 – RGV/Laredo	Apr 21 – RGV/Laredo	July 7 – Houlton
Jan 22 – Del Rio/Marfa	Apr 22 – El Paso	July 28 – RGV/Laredo
Feb 9 – El Centro	May 5 – Yuma	July 30 – Del Rio/Marfa
Feb 18 – El Paso	May 18 – El Centro	Oct 20 – RGV/Laredo
Feb 19 – San Diego	May 28 – Del Rio/Marfa	Oct 22 – Del Rio/Marfa
Mar 16 – El Centro	June 4 – Tucson	Dec 2 – Houlton
Apr 2 – Tucson	June 18 – San Diego	

Meeting dates are subject to change; additional meetings may be added.



Partnering In Profile:

The Western Regional Partnership

Effectively carrying out PLLA responsibilities inherently involves partnering not only with land management agency partners, but with a wide range of organizations both governmental and non-governmental. Sometimes this outreach process is done informally. At other times, it has proven beneficial to participate in more formal mechanisms such as coalitions or multi-sector organizations.

One example of the latter is the Western Regional Partnership (WRP). SPPA Division Chief David Hoffman participates in the annual Principals' meeting,

and the PLLA program continues to participate and track the group's progress throughout the year.

The purpose of the WRP is to establish a regional senior policy level partnership among the Department of Defense, other Federal agencies, and State and Tribal executive leadership in the states of Arizona, California, Nevada, New Mexico, and Utah. (Organizations from the state of Texas also occasionally get involved.) WRP works in partnership with the Western Governors' Association. Its website is <www.wrpinfo.org>.

Several of WRP's working committees are directly relevant to the Border Patrol's work, including the PLLA Program. For example, the WRP's Wildlife

Corridors, Critical Habitat, and Threatened and Endangered Species Committee is discussing how best to address preservation (and creation) of wildlife corridors and critical habitat. Three areas are under consideration. One of them is in southeastern Arizona and New Mexico, including land along the border.

The WRP's Disaster Preparedness Committee is discussing the need for education and communication across entities, including the special challenges of the border region. And the Partnership's Border Committee is looking at the following issues: airspace, inclusive of UAV operations; emergency response, inclusive of communications interoperability; habitat protection; and GIS capabilities.

El Centro Sector PLLA Publishes Article in NGO Publication

PLLA interaction with other entities, including non-governmental organizations (NGOs), takes many forms. Here's a very good case in point:

The March 2009 issue of *Desert Report* carried a front-page article written by El Centro PLLA Kevin Geller. Agent Geller's article describes how the Border Patrol is collaborating with the Federal land management agencies from the Department of the Interior (DOI) and the Department of Agriculture (USDA). And, significantly, *Desert Report* is published by the Sierra Club California/Nevada Desert Committee.

In his article, Agent Geller paints a vivid picture of cross-agency cooperation within the El Centro Sector. He explains that approximately 70 percent of his Sector's border lies on public lands managed by the Bureau of Land Management (BLM). "We have a strong working relationship with BLM that has been developed over many years," he says. (Agent Geller recently spent six months co-located in the local BLM office.)

Agent Geller cites numerous exam-

ples of El Centro cross-agency cooperation. These examples include: agents and Explorers Post 4108 working with BLM to conduct trash clean-ups; deploying the Horse Patrol Unit to apprehend illegal aliens crossing through the Jacumba Wilderness within Davies and Skull Valleys; agents working with BLM Rangers to report illegal burning, vandalism, abandoned/stolen vehicles, and illegal off-road driving; provision of BLM maps showing preferred routes of travel; and education of new agents by BLM and the Student Conservation Association.

He also points out that cooperation across DHS, USDA and DOI all along the southwest border is widespread, and it continues to improve. Examples he cites: working with the Forest Service in Arizona to improve road access on the Coronado National Forest using their rock crusher/trimmer machine; working closely with the National Park Service in Texas, which hosts a Border Patrol substation within Big Bend National Park; and sharing a field office with Park Service Rangers at the Amistad National Recreation Area near Del Rio, Texas (*see story*



Source: Sierra Club California/Nevada Desert Committee

PLLA-authored article describes strong working relationship between El Centro Sector and the Bureau of Land Management.

on Page 5).

One of Agent Geller's final observations is a reference back to the Fall 2000 edition of the *Desert Report*. This edition, nearly a decade old, included an article titled "USBP and BLM Forge Unlikely Partnership." Much has changed since that time, he concludes. Due to consistent dedication on the part of both BLM and Border Patrol employees, it is unlikely that one of the words in that title would be included were the article to be published today.

Notes from the Field (Continued from Page 5)

The boaters claimed that due to the high winds, their 20 foot fishing boat took on water as they were trying to get to the Black Brush boat ramp. They managed to get close to shore before their boat sank. The boaters were treated for hypothermia at the scene. None required further treatment due to the fast response of our agents, and the communications and teamwork between agencies. NPS arrived on scene shortly behind our Agents, however, their utilization of our radio frequency provided for im-

proved response time due to the presence of Border Patrol Agents in the vicinity of the emergency. Next time NPS may be closer, but no matter which agency is closest to the emergent need, the partnership and communication which exists in the Del Rio Sector provides improved safety for the general public as well as for the law enforcement community. Bad guys, look out!

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PLLA Program Captures Ambassador Award

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Select partners from the Departments of Interior and Agriculture also shared in this award, to include Daniel Wirth (DOI), John Carpenter (U.S. Forest Service), Sheila McFarlin (BLM), Terry Knupp (U.S. Forest Service), Janice Engle (U.S. Fish and Wildlife Service) and Bruce Marto (DOI).

Recognition of the PLLA program honored your commitment to building lasting partnerships that will secure our Nation's borders while protecting our natural resources and maintaining the safety of our officers and the public. In addition, it gave your efforts visibility at the highest levels of CBP and DHS.

It was a proud moment to see the PLLA program take center stage to receive some well-deserved appreciation. Your efforts haven't gone unnoticed!



Source: CBP Office of Public Affairs

Acting Commissioner Jayson Ahern presents former El Centro Sector PLLA Patrick Whipple with the CBP Ambassador Award

PLLA History: A Snapshot

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The other key component to being effective in the job, according to Bemiller, is working closely with the rest of the CBP family. "We've got to remember that people look at us as DHS," Bemiller says. "While it's true that PLLAs have to focus primarily on Border Patrol issues, if somebody is going to be really effective in the position, it's essential to continue to connect to OFO and A&M. Partnerships of all kinds is what the job is all about."

Environmental Document Review

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A second type of document that has been developed under the waiver is the Biological Resources Plan (BRP). BRPs, which are part of some ESPs, address issues associated with threatened and endangered species. They are developed in coordination with the U.S. Fish and Wildlife Service within the Department of the Interior.

Reviewing these documents ensures that our mission and our values are articulated clearly and accurately. As the cadre of PLLAs who have taken the Duke University NEPA course and other specialized environmental and cultural awareness training grows, more of our agents will have the opportunity to get directly involved with this vital and challenging process.

National Policy News Clips

Each issue of *The Tracker* will contain snapshots of recent policies and agreements that are relevant to the PLLA Program. Please help us stay on top of emerging issues and send us a heads up on programs and policies you think may be of interest.

Tribal Consultation Policy Announced

DHS announced on March 3, 2009, that it will institute its first-ever policy to engage the direct and interactive involvement of Indian Tribes in developing regulatory policies, recommending grant procedures for tribes, and advising on key issues. The department is placing a point of contact in the Office of Intergovernmental Programs specifically to handle relationships with tribes, and each DHS component will have a liaison dedicated to tribal issues.

See <<http://www.dhs.gov/ynews/>>.

DHS, DOI Sign Agreement for Mitigation of Border Security Impact on Environment

Under the Memorandum of Agreement (MOA) signed on January 14, 2009, CBP has agreed to fund up to \$50 million for mitigation of border security efforts in environmentally sensitive areas where avoidance or minimization of adverse effects cannot be achieved through the implementation of Best Management Practices. DOI will provide a status report on an annual basis. Under the MOA, both Parties recognize that construction and maintenance of border security infrastructure has the potential to adversely affect natural and cultural resources, and can also be beneficial in terms of preserving habitat and protecting resources through the reduction of impacts caused by illegal cross-border activity.

See <http://www.doi.gov/news/09_News_Releases/011509c.html>.