



Fiscal Year 2020
Maverick and Val Verde Counties Border Barrier Projects
Stakeholder Feedback Report

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1. Introduction and Background

U.S. Customs and Border Protection (CBP), with the assistance of the Department of Defense pursuant to 10 U.S.C. § 284, is constructing new steel bollard fencing in Maverick and Val Verde counties, Texas. The new steel bollard fencing will replace existing barriers. The barrier project totals approximately four miles. The project also includes the installation of a linear ground detection system, road construction or refurbishment, and the installation of a lighting and camera surveillance system supported by grid power.

As part of the planning process for the border barrier project, CBP sought input from the public and other stakeholders on potential impacts to the environment, culture, commerce, and quality of life, including socioeconomic impacts. This input will be used to inform the development of an Environmental Stewardship Plan (ESP). It will also inform project planning and execution.

1.1 About Environmental Stewardship Plans

On March 16, 2020, the Secretary of Homeland Security determined that it was necessary to waive certain laws in order to expedite the construction of border infrastructure in areas of high illegal entry to deter illegal crossing of people and prevent drug smuggling into the United States.

The waiver includes various environmental, natural resource, and land management laws, including the National Environmental Policy Act (NEPA) and the Endangered Species Act. The Secretary of Homeland Security's waiver authority is set out in section 102(c) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended ("IIRIRA").

Though certain laws have been waived, the Department of Homeland Security (DHS) remains committed to environmental and cultural stewardship. One of the ways CBP honors this commitment through the development of the ESP, which, among other things, identifies potential impacts and outlines construction Best Management Practices to eliminate or minimize environmental impacts to the greatest extent possible.

1.2 Purpose of this Report

The purpose of this report is to summarize the input received during the public comment process in order to provide stakeholders and the public transparency into the environmental, cultural, and socioeconomic issues that will be considered during the development of the ESP. It does not present individual comments received or provide responses to the comments.

2. Public Input Process

From March 16, 2020 to May 15, 2020, input was collected regarding the potential impacts to the environment, culture, commerce, and quality of life, including potential socioeconomic impacts, by sending notification and informational materials to federal, state, and local agencies, landowners, environmental non-governmental organizations, local tribes, and



educational institutions. Notification of the public input process was distributed in English and Spanish through letters, emails, and flyers posted in local community centers and libraries. The distributed notification materials are included as an appendix to this report.

Comments were collected through email and mail. In addition, CBP staff held virtual site visits, webinars, and phone meetings with landowners, environmental experts, and other stakeholders. CBP staff plan to continue meeting with impacted stakeholders and knowledgeable individuals throughout the process to ensure environmental impacts are eliminated or minimized.

2.1 Public Feedback Review

All comments received by CBP have been reviewed and categorized. A total of 39 comments were received during the comment period. There were 28 comments identified as unique. The remaining comments were determined to be form letters. As the comments were received, they were reviewed and categorized by their primary topic of concern: environmental, economic, cultural, or quality of life. If a comment included substantive information on multiple topics, they were included in each relevant category.

The Infrastructure Portfolio outreach team reviewed all comments received during the comment period, responded to comments as appropriate, and prepared this report to summarize public input. The comment review was conducted based on explicit concerns; comments that were not specific or contained vague statements were not interpreted by the reviewers. Comments that provided substantive information were further assessed by CBP, often contacting that specific stakeholder to address specific questions or concerns. In some instances, the Infrastructure Portfolio outreach team contacted specific stakeholders to determine the validity of data provided for use in the assessment of environmental impacts.

As a next step, CBP will develop an ESP that will utilize existing and new environmental field survey data, as well as incorporate relevant information and data obtained from the public feedback process.

3. Summary of Public Feedback

The following summarizes CBP's review of the input provided by the public during the comment period. CBP identified 13 categories for the feedback it received from the public.

3.1 Project Cost

One (1) commenter stated their opposition to the border barrier due to its cost. The commenter shared their belief that the cost does not justify the potential environmental impacts and recommended reallocating the funds to fight the COVID-19 pandemic.



3.2 Ecosystem/Wildlife/Habitat

A total of six (6) comments noted concern that a border barrier could damage the unique ecosystem and wildlife in the area. Specific species mentioned included the ocelot, jaguarundi, interior least tern, golden-cheeked warbler, red knot, Devils river minnow, Texas hornshell, Rio Grande silvery minnow, tobusch fishhook cactus, bunched cory cactus, and Texas snowbell.

Many commenters also stated that the barrier could interrupt and prevent the migration of animals, fragment and destroy habitat, fragment the number of available mates from Mexican and American animal populations, as well as increase the probability of large losses of life during a flood. Commenters noted that building a barrier would reduce the area's quality and connectivity of plant and animal habitats.

3.3 Immigration/Policy Reform

One (1) commenter expressed support for the border barrier projects and urged the consideration of additional means to regulate illegal immigration, such as strict policy reform.

3.4 Landscape/Views/Visual Impacts

A total of two (2) commenters expressed concern that a barrier could damage the beauty of the natural landscapes or obstruct views within their community.

3.5 Impacts to Landowners and Local Businesses

A total of three (3) commenters addressed potential impacts to landowner property and local businesses. One commenter stated that the barrier could deprive businesses of access to the southern side of the barrier. Another commenter expressed concern for the disruption of local recreational activities, such as fishing, birdwatching, kayaking, hiking, and bike riding.

3.6 Historic and Cultural Preservation

A total of four (4) comments referenced historic and cultural resources that could be impacted due to the construction of a barrier. Fort Duncan, the U.S. 57 bridge over the Rio Grande (Garrison Bridge), and the San Felipe Agricultural, Manufacturing and Irrigation Company were specifically mentioned as historic and/or cultural resources that could potentially be damaged. Commenters recommended having historic and cultural monitors present during construction.

3.7 Tribal Consultation

One (1) commenter recommended that CBP consult with tribal governments potentially affected by the new border barrier. The commenter specifically mentioned the Kickapoo Traditional Tribe of Texas as one that could be impacted.



3.8 Border Security

One (1) comment referenced border security. The commenter supported the new border barrier, stating that CBP must do what it can to protect citizens near the border and to prevent illegal immigration.

3.9 Water and Flood Impacts

A total of two (2) comments mentioned possible flooding and potential impacts to water resources due to the construction projects. Commenters indicated their belief that the border barrier projects could block the natural flow of water and cause flooding in border communities and protected wildlife areas.

3.10 Humanitarian Impacts

One (1) commenter expressed concern regarding possible humanitarian impacts due to the barrier. It was noted that a barrier would likely not deter people fleeing violence and environmental degradation.

3.11 Public Health

One (1) commenter addressed concerns over public health, specifically noting potential impacts due to the COVID-19 pandemic. The commenter stated their belief that the public should come together to fight the pandemic rather than divide over the building of the border barrier.

3.12 Need For/Effectiveness of the Barrier

One (1) commenter expressed concern over the effectiveness of border barriers. The commenter shared their belief that border barriers of different designs have proven surmountable by people in a number of ways, including with tunnels, saws, torches, ladders, and rope.

3.13 Waiver of Environmental Laws

One (1) commenter expressed opposition over DHS' waiver of environmental laws to expedite construction. The commenter mentioned specific laws that were waived, such as NEPA.

4. Review Next Steps

Stakeholder feedback, along with information from surveys of the project area, will inform project planning and execution. Stakeholder feedback will also inform the development of the ESP. The ESP will include a summary of the comments received and how they were addressed. The ESP will be released to the public through CBP.gov upon completion.