



Fiscal Year 2020
Yuma Border Barrier Project
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 and replacing existing barriers with new steel bollard wall in Yuma County, Arizona and Imperial County, California. The barrier project totals approximately 10.5 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 Yuma 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 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 is 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 socioeconomic impacts. CBP sent informational materials to federal, state, and local agencies, landowners, environmental non-governmental organizations, local tribes, and educational institutions and solicited input on potential impacts. CBP also solicited input from the general public. The notification and informational 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, tribal leaders, 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 35 comments were received during the comment period. There were 27 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 important considerations for CBP's review on impacts provided by the public during the comment period. CBP identified 12 categories of primary feedback received.

3.1 Border Security

A total of nine (9) comments were about border security; four (4) of those comments were in support of the border barrier project.



Some commenters suggested that high levels of illegal activities, such as the transportation of illegal narcotics, could be deterred by development of a border barrier. Several comments provided data or stated that existing border security strategies have proven effective and new infrastructure is not needed.

3.2 Cost

There were five (5) comments regarding the cost of the project. Most comments suggested that the potential benefits didn't justify the cost. A couple of the comments also suggested diverting resources from the barrier to COVID-19 pandemic support and relief.

3.3 Landscape/Views/Visual Impacts

There was one (1) comment regarding the landscape and visual impact to the Tinajas Altas area. The commenter noted the area's unique natural features and rugged terrain and expressed concern that the border wall barrier would disrupt the view.

3.4 Impacts to Landowners and Local Businesses

A total of three (3) comments mentioned potential impacts to landowners and local businesses. One comment stated local businesses and landowners were unlikely to be negatively impacted. Two comments expressed concerns about access and dust and debris caused by construction.

3.5 Historic and Cultural Preservation

A total of 13 comments focused on preserving cultural resources in and near the project area, including tribal resources. Most of the comments opposed construction due to the possibility of damage to sacred sites or the disturbance of remains.

Seven of the comments mentioned the Tinajas Altas mountains, noting the range is considered sacred to several Native American tribes like the Hia c-ed O'odham. One comment mentioned a cemetery just north of Morales Dam belonging to the Cocopah Tribe and cremations that have taken place along the riverbank that could be disturbed.

One comment also noted five National Register of Historic Places-eligible historic sites located within or immediately adjacent to the project area, including the Alamo Canal, All-American Canal, Cooper Lateral Canal, Yuma Valley Railroad, and Yuma Valley Levee.

3.6 Recreation

A total of two (2) comments mentioned potential impacts to recreation in and near the project area. One commenter noted that there is fishing and canoeing in the area, but they believed the impact would be minimal.



3.7 Water/Flooding

A total of seven (7) comments mentioned water or flooding concerns. Several commenters expressed concerns over water access and possible discharge into area water sources due to the construction of the barrier. Three comments stressed the cultural importance of water sources in the area, including the significance of the Colorado River to the Cocopah Tribe and of the tinajas “rock tanks” to the Hia c-ed O’odham.

3.8 Air Quality

A total of two (2) comments expressed concern about negative impacts to air quality due to border barrier construction. One comment specifically mentioned fugitive dust caused by heavy construction operations.

3.9 Habitat/Ecosystem/Wildlife

There were 12 comments regarding the impact of the barrier project on wildlife, habitat, and/or ecosystems. A total of eight of those comments stated the infrastructure projects would have a negative impact, with a majority stating that it would result in negative impacts to wildlife migration. In addition to habitat fragmentation for land animals, it was also noted that low-flying birds would be unable to fly over the 30-foot border barrier.

One commenter stated the barrier could prevent wildlife from being able to escape fires, floods, or heat waves and that lighting as part of the border barrier could be disruptive to nocturnal animals.

Specific species mentioned include the flat-tailed horned lizard, western burrowing owls, western yellow-billed cuckoo, jaguar, Chiricahua leopard frog, Mexican spotted owl, Huachuca water umbel, Southwestern willow flycatcher, beardless chinchweed, elephant trees, saguaros, and the northern Mexican gartersnake.

3.10 Public Health

A total of seven (7) comments mentioned public health, specifically the COVID-19 pandemic. Two of the commenters stated their belief that the border barrier project would help contain the spread of the virus by keeping out people who could spread it. The majority of comments focused on the potential spread of the virus in border communities due to construction crews and the alternative ways money allocated for the border barrier could be spent on public health initiatives.

3.11 Waiver of Environmental Laws

A total of eight (8) commenters expressed opposition over DHS’ waiver of environmental laws to expedite construction. Comments mentioned specific laws that were waived, such as the National Environmental Policy Act.



3.12 Form Letters

A total of eight (8) form letters were received from one environmental organization which encouraged members and the general public to submit the letter in response to the request for public comments. These letters stated opposition to development of the barrier project, citing impacts to the ecosystem and to public health.

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.