



# Tucson Sector Border Barrier Remediation Plan DoD 284 Funded Projects Stakeholder Feedback Report

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## 1. Introduction and Background

On June 11, 2021, the Department of Defense (DoD) and Department of Homeland Security (DHS) completed plans for the redirection of funds concerning the southern border barrier, as directed by Presidential Proclamation No. 10142. As directed by those plans, DoD has canceled all undertaken border barrier projects funded by 10 U.S.C. § 284 Counter Narcotics (284 projects). The DHS plan also provides for use of DHS Fiscal Year 2021 border barrier appropriations to fund close-out and remediation work at the former 284 project sites turned over to DHS.

Since the termination of the DoD projects, DHS has been working to implement the close-out and remediation component of its plan, including assessing the statuses and conditions of the project sites to determine the scope and extent of this work.

DHS intends to prioritize funding on those close-out and remediation activities needed to address life and safety, including the protection of the public, U.S. Border Patrol (USBP) agents, and nearby communities from potential harms, and avert further environmental damage or degradation.

The incomplete DoD 284 border barrier construction projects located in the U.S. Border Patrol's Tucson Sector spanned approximately 137 miles in Cochise, Santa Cruz, and Pima counties. Proposed close-out and remediation activities for Tucson Sector include, but are not limited to, the following: installation of erosion control measures, completion of safety work on border and access roads, revegetation of disturbed areas, drainage completion and repair, and gate and gap closure. Comments collected during the comment period will be used to prioritize and inform the Scope of Work for the close-out and remediation projects.

### *1.1 Purpose of this Report*

The purpose of this report is to summarize the input received during the public comment period in order to provide stakeholders and the public transparency into the issues that will be considered during the planning of the border barrier remediation projects. It does not present individual comments received or provide responses to the comments.

## 2. Public Input Process

From January 4, 2022 to February 3, 2022, input was collected regarding actions needed to address life and safety issues, project priorities, and best practices. CBP sent informational materials to federal, state, and local agencies, environmental non-



governmental organizations, and tribes to solicit input. The notification and informational materials (Appendix A) were also posted online.

Comments were collected through email, mail, phone, and ArcGIS StoryMap. In addition, CBP coordinated extensively with land management agencies prior to the comment submission period. CBP staff plan to continue meeting with stakeholders throughout the process to ensure all remediation input is considered.

### *2.1 Public Feedback Review*

Members of the Infrastructure Portfolio 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.

As a next step, CBP will hold a working session with project managers to ensure the feedback and recommendations provided by the public are incorporated into the remediation planning process to the greatest practicable and present how the information is being used in an informational public webinar.

## **3. Summary of Public Feedback**

All comments received by CBP have been reviewed and categorized. A total of 810 comments was received during the comment period, of which 230 were received via email, 555 were received via StoryMap, 21 were received via phone, and 4 were received via mail; all were considered to be unique. The StoryMap was visited by 198 users, with a total of 279 views. It can be assumed that individuals who commented on the StoryMap left multiple comments, but identifying information about the commenter was not requested nor was it provided. Therefore, the following summary refers to the number of comments received as compared to the number of commenters. As the comments were received, they were reviewed and categorized by their primary topic and area of concern. If a comment included substantive information on multiple topics or multiple project areas, it was included in each relevant category.

The following summarizes the considerations provided by the public during the comment period. CBP identified 12 topic categories and 9 project areas within the received comments.



### 3.1. Topic

#### 3.1.1 Habitat and Wildlife

A total of 535 comments expressed concern about long-term impacts of the border barrier on the survival and habitat connectivity of various plant and animal species. Commenters stated that the barrier interrupts the migration of animals and fragments and destroys habitat. Many comments specifically noted impacts to the Mexican gray wolf, jaguar, Sonoran Desert pronghorn, bighorn sheep, ocelot, javelina, mountain lion, bear, and other wildlife. Some commenters also expressed concerns about the impacts of border barrier construction on birds, such as the endangered Southwestern Willow Flycatcher, whose habitat is located within portions of the proposed project area. Some commenters suggested removing barrier and leaving flood gates open to address potential impacts.

#### 3.1.2 Restoration of Disturbed Areas

A total of 416 comments expressed concerns about disturbed project areas, such as staging yards and patrol road extensions, and noted the need to de-compact soils and revegetate with native seed. Some commenters suggested that CBP plant cacti and woody species when restoring vegetation.

#### 3.1.3 Invasive Species Maintenance and Monitoring

A total of 334 comments expressed concerns about the presence of invasive species, such as buffelgrass and Lehmann lovegrass, in areas disturbed by border barrier construction. Many of these commenters stated that there is a need for treatment of invasive species and long-term monitoring to prevent spread. Commenters recommended that CBP review the U.S. Department of Agriculture Noxious Weed list and other sources to identify invasive species.

#### 3.1.4 Erosion Concerns

A total of 318 comments expressed concern about the risk of erosion within the project sites. Commenters specifically noted their concerns about areas that experienced heavy blasting as being susceptible to erosion. The comments suggested to stabilize at-risk areas using revegetation and other methods.

#### 3.1.5 Low Water Crossings

A total of 266 comments expressed concerns about the integrity of low water crossings and streams and recommended to restore the crossings to their original, natural state. Commenters expressed concern about the closure of gates at streams



such as San Pedro River, Silver Creek, Black Draw, and Hay Hollow. They also stated that gates should remain open year-round or be completely removed to prevent debris build-up, maintain original water flow, maintain the connectivity of aquatic species, allow wildlife to access drinking water, and allow large animals to cross between the United States and Mexico.

A few commenters noted concerns about flooding potential in the San Pedro River and Guadalupe Canyon areas.

### 3.1.6 Gaps in Barrier

A total of 186 comments expressed concern about the closure of gaps in the barrier. Many commenters suggested large gaps in the barrier are necessary for habitat connectivity and the movement of large wildlife. Many commenters stated the current 8.5" x 11" small wildlife passages installed across various sections of the barrier are insufficient for the movement of large wildlife. Commenters recommended that CBP use the underpass dimensions specified in the Wildlife Crossing Structure Handbook from the Department of Transportation and Federal Highways Administration. These commenters proposed that CBP leave gaps as they are as part of remediation. In contrast, some commenters suggested gaps present challenges for border security and proposed to close gaps as part of remediation.

### 3.1.7 Lighting and Light Pollution

A total of 159 comments expressed concern about the impacts of lighting installation. Commenters noted that artificial lighting can disorient animals, especially birds and bats, and alter animal behavior. Some comments also expressed concerns about the effect of light pollution on Arizona's dark sky zones and International Dark Sky communities. Consequently, comments recommended to remove lighting along the border and prevent the installation of additional lights. If lighting is used, commenters recommended to incorporate red spectrum lighting instead of LED/white lights.

### 3.1.8 Restoration of Access Roads

A total of 132 comments stated that newly constructed access roads should be decommissioned and restored, especially those that are susceptible to erosion. Some commenters referenced specific roads and disturbed areas within the Coronado National Forest, Coronado National Memorial, and Guadalupe Canyon that should be decommissioned or restored.



### 3.1.9 Border Barrier Removal or Completion

A total of 47 comments provided input on whether the border barrier should be removed or completed. Some commenters stated the barrier should be removed in certain areas, such as along the San Pedro River and Guadalupe Canyon, or removed entirely. Some provided suggestions to replace the current pedestrian barrier with vehicle barrier. Other commenters stated the barrier should be completed in the areas originally intended to increase border security.

### 3.1.10 Use of Waiver

A total of 37 comments encouraged CBP to adhere to the guidelines established in the National Environmental Policy Act (NEPA) and other environmental laws and reject the use of the Department of Homeland Security's waiver when carrying out future remediation activities. The commenters stated that NEPA provides a way for CBP to solicit input from federal agencies and is necessary to evaluate the impacts of border barrier construction on biological resources.

### 3.1.11 Impacts to Cultural Resources

A total of 24 comments noted that it is necessary to consult with Tribes, such as the Tohono O'odham Nation, regarding impacts to cultural resources. A few comments urged CBP to survey for cultural resources along the ancestral tribal lands before any remediation work begins.

### 3.1.12 Implementation of Technology

A total of 10 comments suggested that virtual barrier features, such as cameras, towers, and sensor technology, should be used in place of a physical barrier to minimize the environmental impacts.

## 3.2. *Project Area*

### 3.2.1 Coronado National Forest

A total of 281 comments stated that there is a need to decommission roads and patrol road extensions in the Coronado National Forest.

### 3.2.2 San Pedro River

A total of 101 comments stated the need to preserve the integrity of the San Pedro River - an important wildlife and biodiversity corridor. Commenters suggested to remove the barrier across the river or leave the gates open year-round. Some comments noted concerns about flooding.



### 3.2.3 Coronado National Memorial

A total of 92 comments stated expressed concerns about the access and patrol roads constructed in the Coronado National Memorial. Commenters stated that CBP needs to implement erosion control and restore or decommission the roads.

### 3.2.4 San Bernardino National Wildlife Refuge

A total of 76 comments urged CBP to leave gates at low water crossings, including Black Draw, Silver Creek, and Hay Hollow, open year-round to facilitate wildlife migration.

### 3.2.5 Guadalupe Canyon

A total of 72 comments stated that there is a need to decommission roads and patrol road extensions in the Guadalupe Canyon. Commenters specifically identified the road that runs from the Guadalupe Canyon to the Arizona/New Mexico state line as one that needs to be decommissioned. Other commenters stated the barrier should be removed along low water crossings to mitigate flooding and encourage animal crossings.

### 3.2.6 Santa Cruz River

A total of 58 commenters stated that the barrier gap present at the Santa Cruz River needs to remain open for water flow and wildlife crossing.

### 3.2.7 Organ Pipe Cactus National Monument

A total of 29 comments noted the importance of having large wildlife openings present along the barrier within Organ Pipe Cactus National Monument. Comments also expressed concerns about the cultural and biological significance of Quitobaquito Spring and the impact of border barrier construction on the spring.

### 3.2.8 Cabeza Prieta National Wildlife Refuge

Thirty-four (34) comments noted the importance of having large wildlife openings present along the barrier within the Cabeza Prieta National Wildlife Refuge.

### 3.2.9 Buenos Aires National Wildlife Refuge

A total of 20 commenters stated that the barrier gaps present along the wall in the Buenos Aires National Wildlife Refuge need to remain open for water flow and wildlife crossings.

## 4. Review Next Steps



Stakeholder feedback collected during the public comments period and during regular consultations with federal partners will inform project planning and execution. Stakeholder feedback will also inform the development of the Scope of Work for the close-out and remediation projects.