



Rio Grande Valley National Environmental Policy Act Scoping for Border Barrier and Related System Elements Stakeholder Feedback Report

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1. Introduction and Background

The U.S. Customs and Border Protection (CBP) is proposing to construct, maintain, and repair new border barrier and related system elements in the United States Border Patrol (USBP) Rio Grande Valley (RGV) Sector in Starr, Hidalgo, and Cameron counties, Texas. The project would consist of approximately 86 miles of new border barrier system.

As part of the National Environmental Policy Act (NEPA) process for the border barrier project, CBP sought public input on impacts to various environmental and cultural resources as well as potential alternative actions to be analyzed. This input will be used to inform the development of an Environmental Assessment (EA).

1.1 About the Environmental Assessment

In fiscal years 2018 and 2019, Congress appropriated funds for the construction of border barrier in the USBP RGV Sector. Pub. L. 115-141, Div. F, Tit. II, § 230 (March 23, 2018); Pub. L. 116-6, Div. A, Tit. II, § 230 (February 15, 2019). Consistent with the [Department of Homeland Security Border Barrier Plan Pursuant to Presidential Proclamation 10142 \(June 11, 2021\)](#), CBP is conducting environmental planning concerning the proposed construction, maintenance, and repair. The development of the EA will not involve any construction of new border barrier or permanent land acquisition.

The environmental planning effort will include the preparation of an EA consistent with the requirements of NEPA. The action to be analyzed is the proposed construction of up to approximately 86 miles of new border barrier and related system elements such as roads, lighting, enforcement cameras, and other detection technology within the USBP RGV Sector.

1.2 Purpose of this Report

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

2. Public Input Process

From January 20, 2022 to March 7, 2022, input was collected regarding impacts to various resources as well as potential alternative actions to be analyzed. CBP sent informational materials to solicit input on potential impacts to natural and cultural resources from federal, state, and local agencies, non-governmental organizations, and local tribes, 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 e-mail, mail, and a voice mailbox. In addition, CBP staff held two virtual webinars with environmental experts, tribal leaders, and other stakeholders.



CBP staff plan to continue meeting with impacted stakeholders and subject matter experts throughout the process to ensure impacts are eliminated or minimized.

2.1 Public Feedback Review

All comments received by CBP were reviewed and categorized. A total of 79 comments were received and all comments were determined to be unique. As the comments were received, they were reviewed and categorized by their primary topic of concern. If a comment included substantive information on multiple topics, they were included in each relevant category below.

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 EA that will utilize new and existing field survey data, as well as incorporate relevant information and data obtained from the public feedback process.

3. Summary of Public Feedback

The following sections summarize important considerations for CBP's review of impacts provided by the public during the public comment period. CBP identified 14 categories of primary feedback received.

3.1 Crime & Drugs

One (1) commenter expressed that constructing the border barrier could help to combat the inflow of drugs and lower crime rate in border communities.

3.2 Ecosystem/Flora & Fauna/Habitat

A total of 23 commenters expressed concern that the border barrier would damage the unique wildlife and habitat in the area. Comments suggested that the wall would have a negative effect on various endangered species, including the Mexican Grey Wolf and ocelot. Commenters also stated that building a 150-foot enforcement zone could negatively impact wildlife and their habitats.

Many commenters noted that building a border barrier could reduce the area's quality and connectivity of plant and animal habitats. They noted that the border barrier could prevent the migration of animals, cause fragmentation and destruction of habitat or fragmentation of



available mates from Mexican and American animal populations, as well as increase the probability of large losses of life during a flood.

3.5 Impacts to Landowners

A total of four (4) commenters expressed concern for potential impacts to landowner property. Commenters also expressed a specific concern for potential impacts to the nearby River Bend Resort and Golf Course. Possible disruptions to recreational activities, including birding, were also mentioned.

3.6 Historic and Cultural Preservation

A total of two (2) commenters referenced historic and/or cultural resources that could be impacted due to the construction of a border barrier. The following historic and cultural resources were mentioned:

Starr County

- Roma Historic District, listed in the National Register of Historic Places (NRHP) and designated as a National Historic Landmark (NHL) in 1972;
- Roma-San Pedro International Bridge, designated as a State Antiquities Landmark (SAL) in 1983 and listed in the NRHP in 1984;
- Old Garcia Home, designated as a Recorded Texas Historic Landmark (RTHL) in 1964;
- Noah Cox House, designated as an RTHL in 1963;
- Ramirez Hall, designated as an RTHL in 1973;
- Rodriguez Store, designated as an SAL in 2002;
- Nestor Saenz Store, designated as an SAL in 2002;
- Manuel Guerra Home and Store, designated as an RTHL in 1973 and as an SAL in 2002;
- Fred & Nell Kain Guerra House, listed in the NRHP in 2005;
- Mifflin Kenedy Warehouse & Old Starr County Courthouse, listed in the NRHP in 2005;
- Memorial Hospital, designated as an RTHL in 1965;
- Yzaguirre-Longoria House, listed in the NRHP in 2005;
- Silverio de la Pena Drugstore and Post Office, listed in the NRHP in 1980;
- LaBorde House, Store and Hotel, listed in the NRHP in 1980;
- Our Lady of Refuge Catholic Church, designated as an RTHL in 1964;
- Old Roma Convent Building, designated as an RTHL in 1964;
- First Chapel in Roma, designated as an RTHL in 1973;
- Juan Gonzales House, designated as an RTHL in 1964;
- Old Rancho Davis 1936 Centennial Marker;
- Starr County 1936 Centennial Marker;
- Starr County Veterans 1936 Centennial Marker;
- Howard L. Bass Home, designated as an RTHL in 1966;
- Rio Grande City Downtown Historic District, listed in the NRHP in 2005;
- Fort Ringgold Historic District, listed in the NRHP in 1993;
- Old Ringgold Barracks Hospital, designated as an RTHL in 1965;
- Robert E. Lee House, designated as an RTHL in 1965;



Hidalgo County

- La Lomita Historic District, listed in the NRHP in 1975;
- La Lomita Chapel, designated as an RTHL in 1964;
- San Juan Plantation, designated as an RTHL in 1964;
- Louisiana-Rio Grande Canal Company Irrigation System, listed in the NRHP in 1995;
- Donna to Brownsville IBWC Levee, determined eligible for listing in the NRHP in 2009;
- Penitas Cemetery, designated as a Historic Texas Cemetery (HTC) in 2016;
- Eli Jackson Cemetery, designated as an HTC in 2005;
- Handy Cemetery, designated as an HTC in 2008;
- Asadores Ranch Cemetery, designated as an HTC in 2009;

Cameron County

- Landrum House, designated as an RTHL in 1978;
- Champion Cemetery, designated as an HTC in 2001;
- Longoria Cemetery #1, designated as an HTC in 1998;
- Los Alamos Cemetery at Galveston Ranch, designated as an HTC in 2001;
- San Pedro Cemetery, designated as an HTC in 1999;
- Las Rucias 1936 Centennial Marker; and
- Cameron county Irrigation District 02, determined eligible for listing in the NRHP in 2009.

3.7 Border Security

A total of 27 commenters focused on border security. These commenters noted their support of the new border barrier, stating that CBP must do what it can to ensure the safety of U.S. citizens living near the border.

3.8 Water and Flood Impacts

There was a total of eight (8) comments regarding potential flooding and possible impacts to water resources due to the project. Commenters stated their belief that the proposed border barrier could exacerbate catastrophic events, such as floods.

3.9 Environmental Justice

Three (3) commenters focused on impacts specifically to minority and low-income communities due to the border barrier projects. One commenter suggested CBP develop a comprehensive outreach strategy to engage minority and low-income populations in proximity of the proposed project and foster meaningful participation and coordination with such populations, applicable stakeholders, and external organizations and entities.

3.10 Need For/Effectiveness of the Border Barrier System

A total of 12 commenters questioned the effectiveness of the border barrier in general. Multiple commenters stated that they believed that USBP agents alone have been successful in securing the border in the past or that there was no need for a border barrier.



3.13 Full Environmental Impact Statement

Three (3) commenters stated that they supported the development of a full Environmental Impact Statement, instead of a mere EA since the proposed project area is fragile and threatened. One commenter also emphasized the importance of analyzing cumulative impacts.

3.14 Alternative Actions

One (1) commenter proposed alternative actions for inclusion in the EA. These alternative actions include the following:

1. Build a virtual wall with fiber-optic lines running along the border, supported by technology, drones, motion sensors, cameras, etc.
2. Reimburse local border communities and private property owners for costs incurred related to border security and humanitarian aid with proceeds from asset forfeitures related to border crimes and other state grants.
3. Modernize ports of entry with technology and intelligent transportation systems.
4. Improve border rail inspection stations required by USBP for border rail lines owned by the state of Texas.

4. Review Next Steps

Stakeholder feedback, along with information from surveys of the project area, will inform NEPA process. The EA will include a summary of the comments received and how they were addressed. The EA will be released to the public through www.CBP.gov upon completion.