



San Diego Sector Border Barrier Remediation Plan DoD 284 Funded Projects Stakeholder Feedback Report

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1. Introduction and Background

In response to Presidential Proclamation No. 10142 entitled, Termination of Emergency With Respect to the Southern Border of the United States and Redirection of Funds Diverted to Border Wall Construction, Department of Defense (DoD) has canceled all undertaken border barrier projects that were previously being executed under 10 U.S.C. § 284 (284 projects).

On June 9, 2021, the Department of Homeland Security (DHS) completed plans for the redirection of funds concerning the southern border barrier, as directed by Presidential Proclamation No. 10142 (the DHS Plan). On July 11, 2022, DHS completed an amendment to the DHS Plan (Plan Amendment). The DHS Plan and Plan Amendment provide for use of prior year 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 USBP's San Diego Sector spanned approximately 14 miles in San Diego County.

On May 25, 2022, CBP released its San Diego Sector Border Barrier Remediation Plan for public comment. The public comment period closed on June 24, 2022. The Remediation Plan described the proposed close-out and remediation activities which 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 implementation of Stormwater Pollution Prevention Plan and Best Management Practices, and invasive species control. 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 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 May 25, 2022 to June 24, 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 could be submitted through e-mail, 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.

3. Summary of Public Feedback

All comments received by CBP have been reviewed and categorized. Sixteen comments were received during the comment period, all of which were received via email; all were considered to be unique. As the comments were received, they were reviewed and categorized by their primary topic. If a comment included substantive information on multiple topics, it was included in each relevant category.

The following summarizes the considerations provided by the public during the comment period. CBP identified 10 topic categories within the received comments.



3.1 Best Practices

Four comments provided comments on best management practices (BMPs) for remediation. These included consideration of stormwater, erosion control, and invasive species BMPs; use of native soils and planting of particular species during restoration efforts; and monitoring of wildlife by third party experts.

3.2 Impacts to Cultural Resources

Three comments addressed impacts to cultural resources. All of the comments requested CBP consult with tribes regarding traditional cultural resources impacted by construction. One comment cited concerns about the impact of erosion and U.S. Border Patrol vehicles on cultural resources and sacred sites; it also requested appropriate consideration of historic properties and Indian sacred sites in the management and operation of DHS assets. One comment requested requiring a cultural resource specialist during research, field investigations, and ground disturbing activities.

3.3 Restoration of Disturbed Areas

Three comments expressed concerns about disturbed project areas, such as topsoil disturbance at staging yards and new roads, which could lead to colonization of invasive species. Comments noted the need to restore these disturbed areas and revegetate with native seed. Two comments stated patrol roads are expanding due to tire dragging and vehicle traffic and suggested planting live fencing along the road edges in addition to restoration.

3.4 Drainages and Low Water Crossings

Three comments expressed concerns about the integrity of low water crossings and drainages. Commenters recommended removing in-channel obstructions to allow flood flows to move naturally through all existing washes, as well as opening passages across the washes to allow for wildlife migration.

3.5 Erosion Concerns

Three comments suggested implementing erosion control measures. Commenters recommended removing berms and recontouring the land with passive rainwater harvesting methods to reestablish natural flow of water and prevent erosion.



3.6 Gates and Gaps

Two comments proposed installing and maintaining gaps to allow for wildlife corridors. Commenters stated that the proposed small wildlife passages were not sufficient to allow migration for larger animals. Commenters proposed studying and evaluating the effectiveness and sustainability of wildlife passage corridors. Six comments expressed their desire for CBP to complete the border barrier and close gaps. Two commenters cited public safety and security as a reason for completion of the barrier.

3.7 Lighting and Light Pollution

Two comments expressed concern about the impacts of lighting installation, which could impact nocturnal desert species and wildlife using passages as travel corridors. Commenters suggested eliminating lighting or using red spectrum instead of LED/white lights.

3.8 Public Participation Process

One comment asked questions about the public participation process for this project, including who was on the distribution list, where public comments may be reviewed, and what steps CBP will take following public comments. Another comment suggested CBP follow all environmental laws including the National Environmental Protection Act (NEPA).

3.9 Other Locations

Although not part of the scope of this public comment period, six comments focused on other border barrier projects within San Diego Sector. One commenter expressed concern about the Tijuana River Barrier project. Five commenters expressed concern about construction projects near Friendship Park and requested the restoration of the Binational Garden.

4. 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.

APPENDIX A: Notification Materials



**U.S. Customs and
Border Protection**

May 25, 2022

SUBJECT: San Diego Sector Proposed Remediation Actions Associated with the Construction of Border Barrier

To Whom it May Concern:

U.S. Customs and Border Protection (CBP) is seeking your input on proposed remediation actions associated with the construction of border barrier in San Diego County, California within the U.S. Border Patrol (USBP) San Diego Sector.

As directed by the Secretary of Defense, all border barrier construction projects funded by Department of Defense have been canceled. The Department of Homeland Security (DHS) has been assessing the status and condition of border barrier project sites and working closely with the Department of the Interior to determine the scope and extent of remediation work. More information concerning the proposed remediation work in the San Diego Sector is included in the enclosed San Diego Sector Remediation Plan and available online at: www.cbp.gov/about/environmental-management.

DHS intends to prioritize funding on those remediation projects that are needed to address life and safety, including the protection of the public, USBP agents, and nearby communities from potential harms, and avert further environmental damage or degradation.

CBP would like your feedback on the San Diego Sector Remediation Plan. Specifically, CBP is seeking input and information to the following questions:

- Are there any other immediate actions that are needed to address life and safety issues, including the protection of the public, Border Patrol agents, and nearby communities from potential harms, and avert further environmental damage or degradation as a result of border barrier construction since 2019?
- What are the highest priority actions?
- Are there best practices the remediation contractor should follow when implementing these activities?

CBP is accepting comments until June 24, 2022. Comments can be submitted on the San Diego Sector StoryMap at www.cbp.gov/about/environmental-management or emailed to CBP at SanDiegoComments@cbp.dhs.gov. Please include "San Diego Remediation Plan" in the subject of your email. Comments received by CBP, including names and addresses of those who comment, will become a part of the public record.



U.S. Customs and
Border Protection

You may also provide comments, questions, or concerns by calling 1-800-542-2753 or by mail:

U.S. Customs and Border Protection
U.S. Border Patrol Headquarters
1300 Pennsylvania Ave. 6.5E Mail Stop 1039
Washington, D.C. 20229-1100

We appreciate your feedback and help with prioritizing potential remediation activities.

Respectfully,

A handwritten signature in blue ink that reads "Paul Enriquez".

Paul Enriquez
Real Estate and Environmental
Infrastructure Portfolio Deputy Director
Program Management Office Directorate
U.S. Border Patrol

Enclosure: San Diego Sector Border Barrier Remediation Plan



San Diego Sector Border Barrier Remediation Plan

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 (DoD 284 projects), and DHS will not undertake any new border barrier construction on the former DoD 284 projects.

On December 20, 2021, DHS authorized CBP to move forward with activities necessary to address life, safety, environmental and remediation requirements for the DoD 284 projects. The activities will be undertaken utilizing DHS Fiscal Year 2021 border barrier appropriations.

Since the termination of the DoD 284 projects, DHS has been working to implement the remediation component of its Plan, including assessing the status and conditions of the project sites to determine the scope and extent of remediation work. DHS intends to prioritize funding on those remediation projects 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 potential environmental damage or degradation. Within San Diego Sector, border barrier projects were also funded by 10 U.S.C. § 2808 Military Construction (DoD 2808 projects). This plan does not include remediation activities for DoD 2808 projects. CBP's remediation of the DoD 2808 project areas will be addressed separately. This plan summarizes the remediation activities anticipated in the USBP's San Diego Sector for DoD 284 projects.

Project Location

Approximately 14 miles of non-contiguous new and replacement border barrier were constructed within the San Diego Sector. Segments are located within the Roosevelt Reservation. An overview of the DoD 284 project segments can be found at: www.cbp.gov/about/environmental-management.

Proposed Activities

In the USBP San Diego Sector project segments identified in the attached maps, remediation activities will include, but not be limited to, the following:

1. Erosion control: Short-term and long-term erosion control measures will include installation of rip rap and other embankment/slope stabilization along slopes and drainages. Erosion control is necessary in areas that have high-walled berms that prevent water from properly diverting off the road.
2. Completion of work on border and access roads: Work will include completing unfinished roads as well as slope paving and associated erosion control in areas with steep slopes. Roads through Federal lands will be repaired or restored in accordance with previously established agreements with Federal land managers. CBP will work with USBP and other relevant agencies to determine which construction roads will be retained and which will be decommissioned.
3. Revegetation of disturbed areas: Remediation will include reseeding staging areas and vehicle turn-arounds in accordance with the specifications provided by Federal land managers.
4. Drainage completion and/or repair: All drainage crossings will be protected by appropriate measures such as, but not limited to, articulated concrete block, concrete pavement, inlets/outlets, culverts, roadside ditches, debris posts, or a combination



thereof.

5. Implementation of Stormwater Pollution Prevention Plan and Best Management Practices: Activities will include removal of sediment from drainages, removal of temporary structures from waterways, and installation of wattle and silt fencing to prevent accumulation of sediment in waterways.
6. Invasive species control: CBP will take steps to control or mitigate the spread of invasive species.
7. Removal of construction materials: CBP will remove construction materials, such as rip rap and spoil piles, from the project areas.
8. Based on CBP's assessment of the DoD 284 project areas, CBP does not believe that it will be required to backfill open trenches or install cattle guards. However, CBP may take such actions, as appropriate, if site conditions show them to be necessary.
9. Gate installation and repair: Complete and repair automated vehicle gates and associated foundation work.
10. Installation of small wildlife passages: CBP will also accept comments and suggestions regarding the installation of small wildlife passages in appropriate places along the border.

More detailed information concerning the proposed remediation activities, including proposed project locations, can be found at: www.cbp.gov/about/environmental-management.

Proposed Schedule

Beginning in May 2022, CBP will hold a 30-day comment period to collect input and information from the public on this San Diego Sector Remediation Plan. Feedback from the public will be reviewed and incorporated into direction to the contractors or formal contract modifications. Following the comment period, CBP will award remediation contracts in Fall 2022 and work is estimated to begin as soon as 30-60 days following awards. It is anticipated that remediation work will take approximately 12-28 months. 🌐