



Rio Grande Valley
Border Barrier System Construction Request for Input
Starr County, TX
Stakeholder Feedback Report

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1. Introduction and Background

The Department of Homeland Security (DHS) Border Wall Plan Pursuant to Presidential Proclamation 10142 and associated Plan Amendment authorized the use of prior year border barrier funds for work in Starr County, TX. CBP has proposed to design and construct up to 20 miles of new border barrier system. The proposed project includes 18-foot high, six-inch diameter bollards embedded into a movable, concrete, jersey barrier-style base. Other system elements of the proposed project include the following:

- An area of 60- to 100-feet wide to accommodate a Functional Class-2 (FC-2) maintenance road and patrol road
- Light poles and lighting
- Gates
- Cameras
- Shelters for fiber optic and close-circuit television (CCTV) equipment
- Erosion and drainage control
- Access roads
- Water for construction and dust suppression purposes
- Laydown yards

As part of the environmental planning process, CBP sought input from the public and respective stakeholders on potential impacts to four primary areas of concern: environment, culture, commerce, and quality of life.

This input will be used to inform the environmental review, as well as project planning and execution. The most helpful comments were those that included data or information that could inform CBP's analysis of potential impacts.

1.1 Environmental Stewardship Plan

On October 5, 2023, DHS Secretary Alejandro N. Mayorkas had determined, pursuant to law, that it is necessary to waive certain laws, regulations, and other legal requirements in order to ensure the expeditious construction of barriers and roads in the vicinity of the international land border in Starr County, Texas.

Though certain laws and regulations have been waived, the Department of Homeland Security remains committed to environmental and cultural stewardship. U.S. Customs and Border Protection (CBP) complies with this commitment through the development of the Environmental Stewardship Plan, which outlines construction Best Management Practices (BMPs) to eliminate or minimize environmental impacts to the greatest extent practicable.

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 environmental review. It does not present individual comments received or provide responses to those comments.

2. Public Input Process

From August to September 2023, CBP sought public input on potential impacts to the environment, culture, and commerce, including potential socioeconomic impacts, and quality of life. The comment period closed on September 15, 2023. Substantive comments received will be used by CBP to inform the environmental review of the projects. The comments previously submitted, as well as those received during this comment period, will be considered as part of the planning process. In 2022, CBP solicited comments on potential impacts for border barrier development in the Rio Grande Valley area. This feedback report can be found in Appendix A of this document.

CBP sent informational materials to federal, state, and local agencies, landowners, environmental non-governmental organizations (NGOs), local Tribes, and academics, and solicited input on potential impacts. CBP also solicited input from the public (Appendix B). Comments were collected through e-mail and mail. The public was also invited to submit comments via the StoryMap project reporting tool. Eighteen (18) comments were received through this service.

In addition, CBP staff participated in site visits, webinars, and phone meetings with land managers, environmental experts, Tribal leaders, and other stakeholders. CBP staff plan to continue meeting with potentially impacted stakeholders and knowledgeable individuals throughout the process to ensure environmental impacts are avoided or minimized.

2.1 Public Feedback Review

All comments received by CBP were reviewed and categorized. A total of 223 commenters submitted input to CBP and 18 comments were determined to be unique. In three instances, one comment was co-signed by as many as fifteen (15) individuals and another comment was co-signed by sixteen (16) individuals. One comment had seventy-five (75) signatures. Forty-three (43) comments were determined to be form letters. Three (3) commenters had sent multiple comments.

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, with CBP often contacting that stakeholder to address 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 conduct an Environmental Stewardship Plan that will utilize new and existing environmental field survey data, as well as incorporate relevant information and data obtained during 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 comment period. CBP identified five (5) key categories of primary feedback received.

3.1 Topics

3.1.1 Wildlife Migration and Conservation

A total of fifty-one (51) commenters expressed concern about small and large wildlife migration and conservation within the project areas. Nine (9) commenters highlighted possible adverse effects on migratory birds, such as the Red-Billed Pigeon. One (1) commenter mentioned specific rare wildlife species to the area such as the White-collared Seedeater. Jaguarundis was another endangered species mentioned by one (1) commenter. Four (4) comments mentioned other endangered species, such as the Ocelot. Twelve (12) commenters mentioned rare birds, like the Audubon's Oriole, that visit the Salineño Wildlife Preserve.

Six (6) commenters mentioned that wildlife will no longer have access to the river and these animals will no longer have an escape route in the event of a flood or fire.

Four (4) commenters explained the importance of sustaining or improving wildlife passages where possible, both for small wildlife and larger animals. These comments also suggested leaving existing gaps open permanently.

One (1) commenter requested that CBP collaborate with the U.S. Fish and Wildlife to create a mitigation plan for habitat loss caused by the previous construction of the border barrier.

3.1.2 Lighting

Regarding floodlights, ten (10) commenters stated that floodlights will negatively impact rare, endangered and threatened species. Eight of these comments (8) mentioned enforcement zones and roads impeding wildlife migration.

The adverse effects of artificial lighting on various species, especially birds, were cited by six (6) commenters. Two (2) commenters mentioned that lighting will confuse and disrupt birds nesting in the area. One (1) commenter stated alternative measures, such as employing



sensor technology and thermal imaging cameras. One (1) commenter noted that too much lighting impacts animal migration routes.

3.1.3 Flooding and Erosion Control

A total of fifty-seven (57) commenters expressed concern over flooding and erosion damage, with forty-three (43) commenters highlighting the dangers and adverse impacts of floodwater and flooding, noting concerns about compliance with international treaties. One (1) commenter noted that the barrier will likely deflect water to Mexico, worsening their risk of flooding. This commenter shared a flood map provided by CBP in 2018 outlining the RGV floodplain in Starr County.

One (1) commenter noted both existing and potential habitat damage caused by unmitigated soil erosion.

One (1) commenter mentioned that the flood mitigation measures were unclear and asked whether CBP is planning to provide additional information regarding the design of the floodgates. This commenter also requested that CBP provide detailed maps that include the topography of the locations of each flood gate or erosion mitigation measure.

One (1) commenter stated that the border wall gates in the Arroyo Morteros Tract, located within the Lower Rio Grande Valley National Wildlife Refuge managed by the U.S. Fish and Wildlife Service, should be removed and left open for water to flow freely and not cause flooding. They stated this would improve the erosion and flooding that follow gate failures.

Four (4) commenters mentioned that the arroyo tracts in Starr County will be affected and could cause flooding if they are not manually opened in time. One (1) of these commenters mentioned that these gates provide a safety concern for the contractors and Border Patrol agents, since they have to open it manually before a flooding event.

3.1.4 Cultural History and Resources/Tribal Coordination

Four (4) commenters had concerns or feedback regarding cultural resources in the project area. The Carrizo Comecrudo Tribe of Texas has ancestral ties to the area and one (1) commenter noted that burial sites could be located within the proposed project area.

Two (2) commenters stated that there were cultural artifacts found in the project area.

One (1) commenter recommended an archeological survey be conducted prior to ground-disturbing activities. They also stated that there are no designated historic resources within the proposed area. However, they state that there are numerous historic-age properties such as family and local cemeteries located in the project area.

One (1) other commenter noted that burial sites and cemeteries be avoided.

3.1.5 Soil and Revegetation



Three (3) commenters mentioned soil and revegetation issues within the project areas. One (1) commenter highlighted the need for revegetation using native plant species, stating that CBP should consult with the U.S. Fish and Wildlife Service to remove invasive species.

One (1) commenter provided input on safety regarding soil quality. This commenter noted that the integrity of the soil will be ruined by constructing a border in the area, affecting native plant and animal species.

One (1) commenter stated that there are two endangered plant species in the area, the Zapata Bladderpod and Prostrate Milkweed. The commenter shared that they had data and maps regarding these species.

4. 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.



Appendix A

2022 Rio Grande Valley National Environmental Policy Act Scoping for Border Barrier and Related System Elements Stakeholder Feedback Report



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.



Appendix B

Border Barrier Request for Input



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

September 5, 2023

SUBJECT: Update to Rio Grande Valley Border Barrier System Project Request for Input

To Whom It May Concern:

On August 14, U.S. Customs and Border Protection (CBP) began to solicit public input on potential impacts to the environment, culture, quality of life and commerce, including potential socioeconomic impacts for the proposed construction of a border barrier system in Starr County, Texas.

CBP proposes to design and construct up to 20 miles of new border barrier system in Starr County. The barrier will consist of 18-foot high, six-inch diameter bollards embedded into a movable concrete jersey barrier-style base and will include lighting, roads, detection technology and cameras. The proposed up to 20 miles project remains the same, but after CBP's initial solicitation for public input, and as a result of continued project planning, CBP identified other potential areas within Starr County to be considered for construction. The proposed project area map, available online at <https://www.cbp.gov/about/environmental-management>, includes recent updates to the proposed potential border barrier locations.

Los materiales en español están disponibles en línea en:
<https://www.cbp.gov/about/environmental-management>

CBP continues to seek public input and comments on the proposed project until September 15, 2023. The most helpful comments are those that include data or information that could help inform CBP's analysis of potential impacts.

Comments can be submitted via email to RGVComments@cbp.dhs.gov. Please include "RGV Border Barrier System Project" in the subject of your email. Comments received in response to this letter, including names and addresses of those who comment, will be part of the public record. If you are providing a comment about a specific area, please specify that in your comment. Comments may also be submitted via the StoryMap at <https://www.cbp.gov/about/environmental-management>.

You may also submit comments, questions, or concerns to the following address:

U.S. Customs and Border Protection
U.S. Border Patrol Headquarters
1300 Pennsylvania Ave. 6.5E Mail Stop 1039

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Washington, DC 20229-1100
ATTN: Paul Enriquez

We appreciate your feedback and assistance with evaluating the potential impacts of this project.

Sincerely,

A handwritten signature in blue ink that reads "Paul Enriquez". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Paul Enriquez
Director, Infrastructure Portfolio
U.S. Border Patrol



Rio Grande Valley Border Barrier System Description of the Proposed Project

The proposed project would include the construction, operation, and maintenance of a new border barrier system in the United States Border Patrol's Rio Grande Valley (RGV) Sector in Starr County, Texas. The project would consist of up to 20 miles of new border barrier system.

The border barrier design would include 18-foot high, six-inch square steel bollards spaced approximately four inches apart and embedded into a moveable concrete jersey barrier-style base. Other components of the proposed border barrier system could include the following, depending on the location:

- **Patrol and Maintenance Roads:** An area of 60- to 100-foot wide could accommodate a Functional Class-2 (FC-2) maintenance road north of the barrier and an FC-2 patrol road on the riverside of the barrier. The area could also include cameras, vegetation clearing, lighting, and a utility corridor with communications fiber and electrical systems.
- **Light Poles and Lighting:** All luminaries would be LED, 4000K CCT (+/- 300 CCT), 70+ CRI. The lighting could provide 3-foot candles (fc) average along the area cleared for the barrier and roads. Light trespass beyond the specified illuminated area shall be no more than 0.1fc at ground level at a distance equal to the width of the area cleared for the roads. Shielding may be installed to control possible spillage of light. All light poles would be mounted on reinforced concrete pedestals at a minimum height of 3 feet above finished grade. The minimum diameter of the pedestal would be 18 inches and would be rigidly connected to the light pole foundation. The light poles would be a minimum of 6 inches in diameter at the base of the pole and coated black to resist corrosion. Light would be powered by grid power connected through an underground conduit.

- **Gates:** The barrier could include gates for access to the southside of the barrier. Gates would be manually operated swing gates supported by hydraulics.
- **Cameras:** Cameras could be affixed to the light poles. Cameras would be spaced out based on viewshed requirements set by U.S. Border Patrol. A Closed Circuit Television (CCTV) feed would be utilized for these cameras.
- **Shelters:** Shelters are needed to house fiber optic and CCTV equipment. Shelter dimensions are up to 12 x 20 feet. Height is approximately 10 feet. One shelter is anticipated to be needed and would be built perpendicular to the barrier on the maintenance road. Placement of the shelter would be within 50 miles of a port of entry.
- **Erosion and drainage control:** Earth retaining systems and erosion control may be needed to control grades and could include items such as concrete or block walls, erosion control mats and riprap. Drainage improvements are anticipated to include concrete low water crossings, reinforced concrete pipe culverts, reinforced concrete box culverts, bridge drainage gates, and associated scour protection that may include concrete slope protection, grouted rip rap, and sheet piles.
- **Access Roads:** The project could include road improvements to FC-2 access road standards.

A preliminary conceptual **site layout** of the proposed border barrier system is depicted in Figure 1 below. Additionally, road improvements would be constructed based on state and local requirements.



- **Water** is anticipated to be needed for construction and dust suppression to maintain air quality near the project. Water is expected to be permitted with local irrigation districts or local landowners with water rights.
- **Laydown yards** would be used to stage project materials and for temporary concrete batch plants and aggregate sorting operations. In addition, laydown yards could include temporary work trailers for the contractors that would also have temporary utility hookups.

Locations of laydown yards would be determined by the construction contractor and are anticipated to be required every five miles in the project area.

Construction of the proposed new border barrier system would be expected to take up to two years. Maintenance to the proposed border barrier system would be expected upon completion of construction.

Maintenance activities could include routine upgrade, clearing of debris from the barrier, repair, and maintenance of the patrol road and barrier system that would not result in a change to their use (e.g., resurfacing a road or replacing a gate component).

Figure 1

