



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

JAN 22 2009

Mr. Gary Trese
Superintendent
Algonac Water Filtration Plant
1530 Saint Clair River Drive
Algonac, Michigan 48001

RE: Proposed Supplemental Environmental Assessment for the SBI^{net} Detroit Project, U.S.
Border Patrol Detroit Sector

Dear Mr. Trese:

On behalf of the U.S. Customs and Border Protection (CBP) and the Department of Homeland Security, the U.S. Army Corps of Engineers, Fort Worth District intends to prepare an Environmental Assessment (EA) for the Secure Border Initiative (SBI^{net}) Detroit Project in the U.S. Border Patrol (USBP) Detroit Sector. This EA will address the construction, operation, and maintenance of 13 sensor and communication systems and associated access roads. This undertaking is projected to begin before the end of this fiscal year. Approximately nine of the 13 sites are expected to require the construction of a monopole tower to accommodate the sensor and communications equipment. This system of towers and access roads creates a communications network in support of a Common Operating Picture among components of CBP and other Federal, State, and local partners outside CBP. Up to five of the proposed 13 project sites would require no tower construction as the camera and communication systems would be mounted to existing structures. Existing USBP vehicles would be retrofitted with technologies to allow USBP agents to acquire/send information via the new surveillance and communication towers. The intent of the upgraded vehicles, combined with the towers is to make USBP enforcement actions more efficient and effective.

The EA will analyze the potential for significant adverse or beneficial impacts of the proposed actions. At the present time, the proposed action includes the construction of up to nine sensor and communication towers. Additionally, approximately 1,150 feet of access road would be constructed at tower DTM-011. The existing Harsen's Island Coast Guard's aid to navigation facility (DTM-013) may not be able to structurally support the SBI^{net} sensor and communication equipment, so a replacement tower facility may be constructed on that site to support both SBI^{net} and Coast Guard operations.

Enclosed is a map showing the project location for the EA. The following Table 1 shows the location (latitude and longitude in decimal degrees) for each proposed activity area.

Table 1.

Tower Number/Name	Latitude	Longitude
DTM-001 Sprint Cell Tower	42.5819	-82.5704
DTM-002 Algonac Water Filtration Plant	42.6213	-82.5271
DTM-003c Idle Hour Yacht Club	42.5586	-82.6303
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DTM-012 Selfridge Air National Guard Base	42.6274	-82.8300
DTM-013 Harsen's Island Aid to Navigation	42.5737	-82.5750

CBP respectfully requests that you provide input regarding any rare, unique, or environmentally sensitive areas that you believe may be affected by the proposed USBP activities.

We intend to provide you with a copy of the Draft EA for the SBInet Detroit Project once completed. Please let us know if additional copies are needed.

Your prompt attention to this request would be greatly appreciated. If you have any questions, please call Ms. Patience Patterson at (202) 344-1131.

Sincerely,



James Riordan
Program Manager
SBInet

Enclosure





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

JAN 22 2009

Mr. David Dortman
Michigan Department of Environmental Quality
Land and Water Management Division
27700 Donald Court
Warren, Michigan 48092

RE: Proposed Supplemental Environmental Assessment for the *SBI_{net}* Detroit Project, U.S.
Border Patrol Detroit Sector

Dear Mr. Dortman:

On behalf of the U.S. Customs and Border Protection (CBP) and the Department of Homeland Security, the U.S. Army Corps of Engineers, Fort Worth District intends to prepare an Environmental Assessment (EA) for the Secure Border Initiative (*SBI_{net}*) Detroit Project in the U.S. Border Patrol (USBP) Detroit Sector. This EA will address the construction, operation, and maintenance of 13 sensor and communication systems and associated access roads. This undertaking is projected to begin before the end of this fiscal year. Approximately nine of the 13 sites are expected to require the construction of a monopole tower to accommodate the sensor and communications equipment. This system of towers and access roads creates a communications network in support of a Common Operating Picture among components of CBP and other Federal, State, and local partners outside CBP. Up to five of the proposed 13 project sites would require no tower construction as the camera and communication systems would be mounted to existing structures. Existing USBP vehicles would be retrofitted with technologies to allow USBP agents to acquire/send information via the new surveillance and communication towers. The intent of the upgraded vehicles, combined with the towers is to make USBP enforcement actions more efficient and effective.

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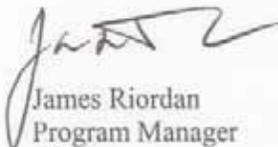
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We are currently in the process of gathering available information regarding Federal and State permits or requirements necessary for this project. CBP respectfully requests that your agency provide input regarding any rare, unique, or environmentally sensitive areas that you believe may be affected by the proposed USBP activities.

We intend to provide your agency with a copy of the Draft EA for the SBI^{net} Detroit Project once completed. Please let us know if additional copies are needed.

Your prompt attention to this request would be greatly appreciated. If you have any questions, please call Ms. Patience Patterson at (202) 344-1131.

Sincerely,


James Riordan
Program Manager
SBI^{net}

Enclosure

cc: Andrew Hartz, Anne Hokanson



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

JAN 22 2009

Mr. Andrew Hartz
Michigan Department of Environmental Quality
Land and Water Management
27700 Donald Court
Warren, Michigan 48092

RE: Proposed Supplemental Environmental Assessment for the *SBI_{net}* Detroit Project, U.S.
Border Patrol Detroit Sector

Dear Mr. Hartz:

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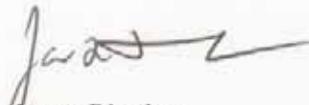
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Your prompt attention to this request would be greatly appreciated. If you have any questions, please call Ms. Patience Patterson at (202) 344-1131.

Sincerely,


James Riordan
Program Manager
*SBI*net

Enclosure

cc: Anne Hokanson, David Dortman



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

JAN 22 2009

Ms. Anne Hokanson
Michigan Department of Environmental Quality
Land and Water Management Division
27700 Donald Court
Warren, Michigan 48092

RE: Proposed Supplemental Environmental Assessment for the *SBI_{net}* Detroit Project, U.S.
Border Patrol Detroit Sector

Dear Ms. Hokanson:

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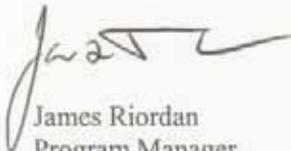
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Your prompt attention to this request would be greatly appreciated. If you have any questions, please call Ms. Patience Patterson at (202) 344-1131.

Sincerely,



James Riordan
Program Manager
*SBI*net

Enclosure

cc: Andrew Hartz, David Dortman



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

JAN 22 2009

Ms. Jennifer Olson
Environmental Review
Michigan Natural Features Inventory
4th Floor Stevens T. Mason Building
530 W. Allegan Street
Lansing, Michigan 48933

RE: Proposed Supplemental Environmental Assessment for the *SBI_{net}* Detroit Project, U.S.
Border Patrol Detroit Sector

Dear Ms. Olson:

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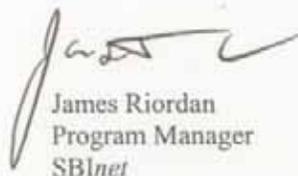
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We are currently in the process of gathering the most current information available regarding Federal and State listed species potentially occurring within this area. CBP respectfully requests that your agency provide input regarding protected species, designated critical habitat, descriptions of the sensitive resources (*e.g.*, rare or unique plant communities, threatened and endangered and candidate species), and unique or environmentally sensitive areas that you believe may be affected by the proposed USBP activities. We have concerns regarding the potential impacts to lake sturgeon (*Acipenser fulvescens*) due to necessary dredging within the St. Clair River to get construction equipment and electricity to tower site DTM-11. We plan to delay dredging activities until after September 1 to avoid impacting the sturgeon spawning season.

We intend to provide your agency with a copy of the Draft EA for the SBInet Detroit Project once completed. Please let us know if additional copies are needed.

Your prompt attention to this request would be greatly appreciated. If you have any questions, please call Ms. Patience Patterson at (202) 344-1131.

Sincerely,



James Riordan
Program Manager
SBInet

Enclosure



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

JAN 22 2009

Mr. Steven Pondo
Park Supervisor
Algonac State Park
8732 River Road
Marine City, Michigan 48039

RE: Proposed Supplemental Environmental Assessment for the *SBI*net Detroit Project, U.S. Border Patrol Detroit Sector

Dear Mr. Pondo:

On behalf of the U.S. Customs and Border Protection (CBP) and the Department of Homeland Security, the U.S. Army Corps of Engineers, Fort Worth District intends to prepare an Environmental Assessment (EA) for the Secure Border Initiative (*SBI*net) Detroit Project in the U.S. Border Patrol (USBP) Detroit Sector. This EA will address the construction, operation, and maintenance of 13 sensor and communication systems and associated access roads. This undertaking is projected to begin before the end of this fiscal year. Approximately nine of the 13 sites are expected to require the construction of a monopole tower to accommodate the sensor and communications equipment. This system of towers and access roads creates a communications network in support of a Common Operating Picture among components of CBP and other Federal, State, and local partners outside CBP. Up to five of the proposed 13 project sites would require no tower construction as the camera and communication systems would be mounted to existing structures. Existing USBP vehicles would be retrofitted with technologies to allow USBP agents to acquire/send information via the new surveillance and communication towers. The intent of the upgraded vehicles, combined with the towers is to make USBP enforcement actions more efficient and effective.

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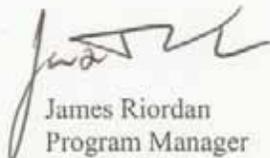
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Sincerely,



James Riordan
Program Manager
*SBI*net

Enclosure



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

JAN 22 2009

Mr. Robert Clegg
City Engineer
Port Huron City Hall
100 Mc Morran Blvd.
Port Huron, Michigan 48060

RE Proposed Supplemental Environmental Assessment for the *SBI*net Detroit Project, U.S.
Border Patrol Detroit Sector

Dear Mr. Clegg:

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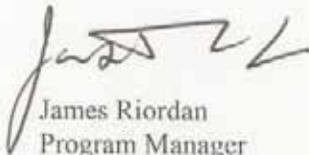
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James Riordan
Program Manager
*SBI*net

Enclosure



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Border Protection**

JAN 22 2009

Mr. Timothy Payne
Management Unit Supervisor
Michigan Department of Natural Resources
Southfield Operations Service Center
26000 W. Eight Mile Road
Southfield, Michigan 48034

RE: Proposed Supplemental Environmental Assessment for the *SBI_{net}* Detroit Project, U.S.
Border Patrol Detroit Sector

Dear Mr. Payne:

On behalf of the U.S. Customs and Border Protection (CBP) and the Department of Homeland Security, the U.S. Army Corps of Engineers, Fort Worth District intends to prepare an Environmental Assessment (EA) for the Secure Border Initiative (*SBI_{net}*) Detroit Project in the U.S. Border Patrol (USBP) Detroit Sector. This EA will address the construction, operation, and maintenance of 13 sensor and communication systems and associated access roads. This undertaking is projected to begin before the end of this fiscal year. Approximately nine of the 13 sites are expected to require the construction of a monopole tower to accommodate the sensor and communications equipment. This system of towers and access roads creates a communications network in support of a Common Operating Picture among components of CBP and other Federal, State, and local partners outside CBP. Up to five of the proposed 13 project sites would require no tower construction as the camera and communication systems would be mounted to existing structures. Existing USBP vehicles would be retrofitted with technologies to allow USBP agents to acquire/send information via the new surveillance and communication towers. The intent of the upgraded vehicles, combined with the towers is to make USBP enforcement actions more efficient and effective.

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DTM-012 Selfridge Air National Guard Base	42.6274	-82.8300
DTM-013 Harsen's Island Aid to Navigation	42.5737	-82.5750

We are currently in the process of gathering the most current information available regarding Federal and State listed species potentially occurring within this area. CBP respectfully requests that your agency provide input regarding protected species, designated critical habitat, descriptions of the sensitive resources (*e.g.*, rare or unique plant communities, threatened and endangered and candidate species), and unique or environmentally sensitive areas that you believe may be affected by the proposed USBP activities.

We intend to provide your agency with a copy of the Draft EA for the SBInet Detroit Project once completed. Please let us know if additional copies are needed.

Your prompt attention to this request would be greatly appreciated. If you have any questions, please call Ms. Patience Patterson at (202) 344-1131.

Sincerely,


James Riordan
Program Manager
SBInet

Enclosure



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

JAN 22 2009

Mr. Chris Mensing
Biologist
U.S. Fish and Wildlife Service
East Lansing Michigan Ecological Services Field Office
2651 Coolidge Road
East Lansing, Michigan 48823

RE: Proposed Supplemental Environmental Assessment for the *SBI_{net}* Detroit Project, U.S.
Border Patrol Detroit Sector

Dear Mr. Mensing:

On behalf of the U.S. Customs and Border Protection (CBP) and the Department of Homeland Security, the U.S. Army Corps of Engineers, Fort Worth District intends to prepare an Environmental Assessment (EA) for the Secure Border Initiative (*SBI_{net}*) Detroit Project in the U.S. Border Patrol (USBP) Detroit Sector. This EA will address the construction, operation, and maintenance of 13 sensor and communication systems and associated access roads. This undertaking is projected to begin before the end of this fiscal year. Approximately nine of the 13 sites are expected to require the construction of a monopole tower to accommodate the sensor and communications equipment. This system of towers and access roads creates a communications network in support of a Common Operating Picture among components of CBP and other Federal, State, and local partners outside CBP. Up to five of the proposed 13 project sites would require no tower construction as the camera and communication systems would be mounted to existing structures. Existing USBP vehicles would be retrofitted with technologies to allow USBP agents to acquire/send information via the new surveillance and communication towers. The intent of the upgraded vehicles, combined with the towers is to make USBP enforcement actions more efficient and effective.

The EA will analyze the potential for significant adverse or beneficial impacts of the proposed actions. At the present time, the proposed action includes the construction of up to nine sensor and communication towers. Additionally, approximately 1,150 feet of access road would be constructed at tower DTM-011. The existing Harsen's Island Coast Guard's aid to navigation facility (DTM-013) may not be able to structurally support the *SBI_{net}* sensor and communication equipment, so a replacement tower facility may be constructed on that site to support both *SBI_{net}* and Coast Guard operations.

Enclosed is a map showing the project location for the EA. The following Table 1 shows the location (latitude and longitude in decimal degrees) for each proposed activity area.

Table 1.

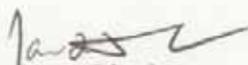
Tower Number/Name	Latitude	Longitude
DTM-001 Sprint Cell Tower	42.5819	-82.5704
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We intend to provide your agency with a copy of the Draft EA for the SBInet Detroit Project once completed. Please let us know if additional copies are needed.

Your prompt attention to this request would be greatly appreciated. If you have any questions, please call Ms. Patience Patterson at (202) 344-1131.

Sincerely,


James Riordan
Program Manager
SBInet

Enclosure

cc: Craig Czarnecki, Barbara Hosler



U.S. Customs and
Border Protection

JAN 22 2009

Ms. Barbara Hosler
Project Biologist
U.S. Fish and Wildlife Service
East Lansing Michigan Ecological Services Field Office
2651 Coolidge Road
East Lansing, Michigan 48823

RE: Proposed Supplemental Environmental Assessment for the *SBI*net Detroit Project, U.S. Border Patrol Detroit Sector

Dear Ms. Hosler:

On behalf of the U.S. Customs and Border Protection (CBP) and the Department of Homeland Security, the U.S. Army Corps of Engineers, Fort Worth District intends to prepare an Environmental Assessment (EA) for the Secure Border Initiative (*SBI*net) Detroit Project in the U.S. Border Patrol (USBP) Detroit Sector. This EA will address the construction, operation, and maintenance of 13 sensor and communication systems and associated access roads. This undertaking is projected to begin before the end of this fiscal year. Approximately nine of the 13 sites are expected to require the construction of a monopole tower to accommodate the sensor and communications equipment. This system of towers and access roads creates a communications network in support of a Common Operating Picture among components of CBP and other Federal, State, and local partners outside CBP. Up to five of the proposed 13 project sites would require no tower construction as the camera and communication systems would be mounted to existing structures. Existing USBP vehicles would be retrofitted with technologies to allow USBP agents to acquire/send information via the new surveillance and communication towers. The intent of the upgraded vehicles, combined with the towers is to make USBP enforcement actions more efficient and effective.

The EA will analyze the potential for significant adverse or beneficial impacts of the proposed actions. At the present time, the proposed action includes the construction of up to nine sensor and communication towers. Additionally, approximately 1,150 feet of access road would be constructed at tower DTM-011. The existing Harsen's Island Coast Guard's aid to navigation facility (DTM-013) may not be able to structurally support the *SBI*net sensor and communication equipment, so a replacement tower facility may be constructed on that site to support both *SBI*net and Coast Guard operations.

Enclosed is a map showing the project location for the EA. The following Table 1 shows the location (latitude and longitude in decimal degrees) for each proposed activity area.

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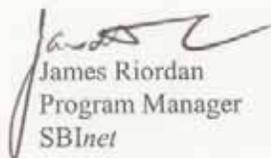
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Your prompt attention to this request would be greatly appreciated. If you have any questions, please call Ms. Patience Patterson at (202) 344-1131.

Sincerely,


James Riordan
Program Manager
SBInet

Enclosure

cc: Craig Czarnecki, Chris Mensing



U.S. Customs and
Border Protection

JAN 22 2009

Mr. Craig Czarnecki
Field Supervisor
U.S. Fish and Wildlife Service
East Lansing Michigan Ecological Services Field Office
2651 Coolidge Road
East Lansing, Michigan 48823

RE: Proposed Supplemental Environmental Assessment for the *SBI_{net}* Detroit Project, U.S.
Border Patrol Detroit Sector

Dear Mr. Czarnecki:

On behalf of the U.S. Customs and Border Protection (CBP) and the Department of Homeland Security, the U.S. Army Corps of Engineers, Fort Worth District intends to prepare an Environmental Assessment (EA) for the Secure Border Initiative (*SBI_{net}*) Detroit Project in the U.S. Border Patrol (USBP) Detroit Sector. This EA will address the construction, operation, and maintenance of 13 sensor and communication systems and associated access roads. This undertaking is projected to begin before the end of this fiscal year. Approximately nine of the 13 sites are expected to require the construction of a monopole tower to accommodate the sensor and communications equipment. This system of towers and access roads creates a communications network in support of a Common Operating Picture among components of CBP and other Federal, State, and local partners outside CBP. Up to five of the proposed 13 project sites would require no tower construction as the camera and communication systems would be mounted to existing structures. Existing USBP vehicles would be retrofitted with technologies to allow USBP agents to acquire/send information via the new surveillance and communication towers. The intent of the upgraded vehicles, combined with the towers is to make USBP enforcement actions more efficient and effective.

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Enclosed is a map showing the project location for the EA. The following Table 1 shows the location (latitude and longitude in decimal degrees) for each proposed activity area.

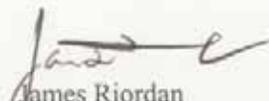
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Sincerely,


James Riordan
Program Manager
SBInet

Enclosure

cc: Barbara Hosler, Chris Mensing



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

JAN 27 2009

Mr. Ken Baker
Re: Idle Hour Yacht Club
43291 North Avenue
Clinton Township, Michigan 48036

RE: Proposed Supplemental Environmental Assessment for the *SBI_{net}* Detroit Project, U.S.
Border Patrol Detroit Sector

Dear Mr. Baker:

On behalf of the U.S. Customs and Border Protection (CBP) and the Department of Homeland Security, the U.S. Army Corps of Engineers, Fort Worth District intends to prepare an Environmental Assessment (EA) for the Secure Border Initiative (*SBI_{net}*) Detroit Project in the U.S. Border Patrol (USBP) Detroit Sector. This EA will address the construction, operation, and maintenance of 13 sensor and communication systems and associated access roads. This undertaking is projected to begin before the end of this fiscal year. Approximately nine of the 13 sites are expected to require the construction of a monopole tower to accommodate the sensor and communications equipment. This system of towers and access roads creates a communications network in support of a Common Operating Picture among components of CBP and other Federal, State, and local partners outside CBP. Up to five of the proposed 13 project sites would require no tower construction as the camera and communication systems would be mounted to existing structures. Existing USBP vehicles would be retrofitted with technologies to allow USBP agents to acquire/send information via the new surveillance and communication towers. The intent of the upgraded vehicles, combined with the towers is to make USBP enforcement actions more efficient and effective.

The EA will analyze the potential for significant adverse or beneficial impacts of the proposed actions. At the present time, the proposed action includes the construction of up to nine sensor and communication towers. Additionally, approximately 1,150 feet of access road would be constructed at tower DTM-011. The existing Harsen's Island Coast Guard's aid to navigation facility (DTM-013) may not be able to structurally support the *SBI_{net}* sensor and communication equipment, so a replacement tower facility may be constructed on that site to support both *SBI_{net}* and Coast Guard operations.

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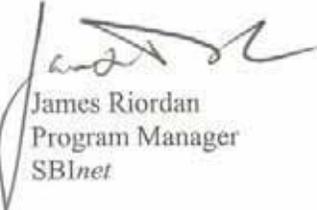
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DTM-013 Harsen's Island Aid to Navigation	42.5737	-82.5750

CBP respectfully requests that you provide input regarding any rare, unique, or environmentally sensitive areas that you believe may be affected by the proposed USBP activities.

We intend to provide you with a copy of the Draft EA for the SBInet Detroit Project once completed. Please let us know if additional copies are needed.

Your prompt attention to this request would be greatly appreciated. If you have any questions, please call Ms. Patience Patterson at (202) 344-1131.

Sincerely,



James Riordan
Program Manager
SBInet

Enclosure



United States Department of the Interior

FISH AND WILDLIFE SERVICE

East Lansing Field Office (ES)
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

IN REPLY REFER TO:

January 30, 2009

Mr. James Riordan, Program Manager
*SBI*net
U.S. Customs and Border Protection
Department of Homeland Security
Washington, DC 20229

Re: Proposed Supplemental Environmental Assessment for the *SBI*net Detroit Project,
U.S. Border Patrol Detroit Sector, Michigan

Dear Mr. Riordan:

We are responding to your January 22, 2009, letter, requesting our review as you prepare an Environmental Assessment (EA) for the above referenced project. We provide these comments under the authority of the Fish and Wildlife Coordination Act and the Endangered Species Act of 1973, as amended (Act), and in accordance with the National Environmental Policy Act of 1969.

The proposed EA addresses the construction, operation, and maintenance of thirteen sensor and communication systems and associated access roads. Of these thirteen systems, approximately nine would require construction of a monopole tower to accommodate the equipment. All thirteen sites occur along St. Clair River in Michigan.

Biologists from this office accompanied U.S. Customs and Border Protection (CBP) staff on inspections of these sites on November 17-19, 2008. We understand that the monopoles, which would be constructed at nine of the sites, would be no taller than 80 feet. We would not expect monopoles of this height to have a significant impact on migratory birds. Additionally, twelve of the thirteen sites would be in cleared or previously developed locations. We do not expect impacts to fish and wildlife resources at these twelve sites.

The site on Gull Island (DTM-011) is not developed and is vegetated with common and invasive species, such as *Phragmites*, willow, cottonwood, red dogwood, and staghorn sumac. Wetlands may be present on site. Construction that would impact wetlands may require a permit for which this office may have review authority under the Fish and Wildlife Coordination Act. In the review of these permit applications, we may concur

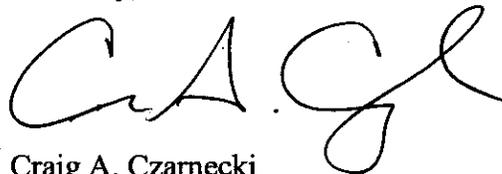
(with or without stipulations) or object to permit issuance depending whether the proposed work may impact public trust fish and wildlife resources. Should construction at Gull Island require any dredging within St. Clair River (for access, operation, or maintenance purposes), we recommend observing the State of Michigan Preferred Dredging Period for St. Clair River, which is September 1 through March 31 (i.e., avoid dredging from April 1 through August 31), to protect critical spawning and larval fish development periods.

Endangered Species

Our records, corroborated by our site inspections, do not indicate the presence of any species federally listed as endangered or threatened, species proposed for listing, candidate species, designated critical habitat, or areas proposed as critical habitat in the immediate project area. This precludes the need for further action on this project as required under section 7 of the Act. If, however, new information becomes available that indicates listed or proposed species may be present and/or affected, the federal action agency for the work should reinitiate consultation with our office. We further advise that should any species occurring in the proposed project area become federally listed or proposed for listing before completion of this project, the federal action agency would be required to reevaluate its responsibilities under the Act. Because threatened and endangered species data changes continuously, we recommend you contact this office for an updated federal list of the species that may be present in the project area every six months during the remaining planning and building period.

We appreciate the opportunity to provide comments at this early stage of project planning. Please refer any questions to Barbara Hosler of this office at 517/351-6326 or the above address.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. A. Czarnecki', written in a cursive style.

Craig A. Czarnecki
Field Supervisor

c: James Boase, Alpena FRO, Alpena, MI
Mike Horton, USFWS, Arlington, VA
T.J. Miller, USFWS, Fort Snelling, MN



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



STEVEN E. CHESTER
DIRECTOR

February 2, 2009

Ms. Patience E. Patterson, RPA
Director, Environmental Planning
Secure Border Initiative
Customs and Border Protection
Room 7.5C-104
1300 Pennsylvania Ave. NW
Washington, D.C. 20229

Dear Ms. Patterson:

The Michigan Department of Environmental Quality (MDEQ), Land and Water Management Division (LWMD), has received and reviewed the U.S. Customs and Border Protection letter dated January 22, 2009, for the proposed supplemental environmental assessment for the *SBlnet* Detroit Project, U.S. Border Patrol Detroit Sector.

The letter lists 13 potential sites for the construction of sensor and communication systems, some of which involve the construction of monopole towers and access roads. Of the 13 proposed sites, our review indicates that one of the sites, DTM-011 will require that MDEQ permits be obtained prior to construction.

The LWMD administers two State of Michigan statutes that regulate construction within wetlands and Lake St. Clair. The construction of towers, building pads, access roads, navigation channels, etc., at DTM-011 will fall under the authority of Part 303, Wetlands Protection, and Part 325, Great Lakes Submerged Lands, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, (NREPA) for placement of fill and/or dredging within wetlands and on the bottomland of Lake St. Clair.

Additional information about these statutes can be found on the DEQ's websites: www.michigan.gov/deqwetlands or www.michigan.gov/deqgreatlakes. In addition, the Joint Permit Application shared by MDEQ and the U.S. Army Corps of Engineers can be downloaded at www.michigan.gov/jointpermit

Upon receipt of an application for construction within wetland and/or Lake St. Clair bottomland the LWMD is required, among other things, to examine all feasible and prudent alternatives to minimize impacts to these aquatic natural resources, as well as, determine whether the project will result in unacceptable disruptions to aquatic natural resources or adversely impact the public trust. The extent of our review is often

Ms. Patience Patterson
Page 2
January 30, 2009

influenced by the quality and abundance of the natural resource being impacts by the proposed activities.

The proposed DTM-011 site contain areas of Great Lakes Marsh, a coastal wetland type that is listed as "vulnerable" on a state ranking and "imperiled" on a global ranking. The site is also within the St. Clair Flats, the largest deltaic wetland system in the Great Lakes and one of the highest natural quality Great Lakes Marshes in the Lower Peninsula of Michigan.

Over 80 percent of the original coastal wetlands on the Michigan side of Lake St. Clair have been destroyed. Of the remaining wetlands, 88 percent are found in the St. Clair Flats. These remaining coastal wetlands provide important food, cover, and breeding areas for fish and wildlife. The St. Clair Flats are believed to support many fish found within the entire Lake St. Clair System. Large numbers of migratory waterfowl are also supported by the resources of the St. Clair Flats. This area represents and is recognized as one of the State of Michigan's most valuable natural resources.

In recognizing the importance of Great Lakes Marsh and the St. Clair Flats, the MDEQ strongly suggests that all other feasible and prudent alternatives be considered prior to applying for a permit to impact the wetlands at these locations. It is our understanding that an alternative site for DTM-011 on Trash Island was being considered that would greatly reduce, if not eliminate, the destruction of Great Lakes Marsh. If an alternative location for DTM-011 could be identified that is located entirely within upland (non-wetland, and non-bottomland) it is possible to eliminate the need for any NREPA permits for construction at these 13 sites.

Please feel free to call me at the number below if you which to discuss further the requirement of the NREPA, or the specifics of applying for a MDEQ permit.

Sincerely,



David R. Dortman
Environmental Quality Analyst
Land and Water Management Division
586-753-3864

cc: Mr. Wally Gauthier, USACE
Mr. Andrew Hartz, DEQ
Mr. Thomas Graf, DEQ



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

February 10, 2009

Mr. James Riordan
U.S. Customs and Border Protection
U.S. Department of Homeland Security
Washington, D.C. 20229

RE: Proposed Supplemental Environmental Assessment for the SBInet Detroit Project, U.S. Border Patrol Detroit Sector

Dear Mr. Riordan:

The location of the proposed project was checked against known localities for rare species and unique natural features, which are recorded in a statewide database. This continuously updated database is a comprehensive source of information on Michigan's endangered, threatened and special concern species, exemplary natural communities and other unique natural features. Records in the database indicate that a qualified observer has documented the presence of special natural features at a site. The absence of records may mean that a site has not been surveyed. The only way to obtain a definitive statement on the presence of rare species is to have a competent biologist perform a field survey.

Under Act 451 of 1994, the Natural Resources and Environmental Protection Act, Part 365, Endangered Species Protection, "a person shall not take, possess, transport, ...fish, plants, and wildlife indigenous to the state and determined to be endangered or threatened," unless first receiving an Endangered Species Permit from the Department of Natural Resources, Wildlife Division. *Responsibility to protect endangered and threatened species is not limited to the list below. Other species may be present that have not been recorded in the database.*

The presence of threatened or endangered species does not preclude activities or development, but may require alterations in the project plan. Special concern species are not protected under endangered species legislation, but recommendations regarding their protection may be provided. Protection of special concern species will help prevent them from declining to the point of being listed as threatened or endangered in the future.

The following is a summary of the results for the project in Macomb, St. Clair Counties.

The following list includes unique features that are known to occur on or near the site(s) and may be impacted by the project.

<u>common name</u>	<u>status</u>	<u>scientific name</u>
Peregrine falcon	state endangered	<i>Falco peregrinus</i>
Sullivant's milkweed	state threatened	<i>Asclepias sullivantii</i>
Smooth beard tongue	state threatened	<i>Penstemon calycosus</i>
Eastern fox snake	state threatened	<i>Pantherophis gloydi</i>
Lakeplain wet-mesic prairie	N/A	N/A

NATURAL RESOURCES COMMISSION
Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • John Madigan • J. R. Richardson • Frank Wheatlake

STEVENS T. MASON BUILDING • P.O. BOX 30028 • LANSING, MICHIGAN 48909-7528
www.michigan.gov/dnr • (517) 373-2329

Great Lakes, Great Times, Great Outdoors!

Peregrine falcons have been known to nest near Tower Number DTM-006 (St. Clair River Electric Plant). This species prefers open habitats such as grasslands, tundra, and meadows. They nest on cliff faces, crevices or tall manmade structures usually along a major waterway. They have been very successful in urban areas because tall buildings are suitable for nesting in this species, and because of the abundance of pigeons as prey items. The Peregrine Falcon is monogamous, and males and females may mate for life. Nest sites may be reused for many years running. Nest height varies from 15 to 60 m, and construction materials include debris or sticks found in the immediate area. Three or four white or pinkish, brown-marked eggs are laid, and are incubated by both sexes, but mostly the female, for about a month. The young fledge in 35 to 42 days, after being fed at the nest. Usually, the male hunts, and the female feeds and broods the chicks.

The **Sullivant's milkweed** has been known to occur near Towers DTM-001 (Sprint Cell Tower), DTM-004 (Marine City Water Plant), DTM-006 (St. Clair River Electric Plant) and DTM-008a (Old Port Huron Station). Sullivant's milkweed occurs primarily in disturbed habitats such as old-fields with secondary prairies, and moist, grassy rights-of-way. At one site in St. Clair County, Sullivant's milkweed grows in an undisturbed small lakeplain wet prairie remnant. Soils are typically moist sandy clay or sandy loam. Elsewhere in its range, *A. sullivantii* is primarily a plant of moist prairies. Flowering occurs by mid-July with fruits maturing through August.

The **smooth beard tongue** is known to occur near Tower DTM-001 (Sprint Cell Tower). It generally occurs in prairies or open oak savanna habitat. It generally flowers between mid-June to mid-July.

The **eastern fox snake** has been known to occur near Tower DTM-005 (Algonac State Park). This species entire range is within the Great Lakes basin. It inhabits coastal marshes and other near-shore habitats (i.e. vegetated dunes and beaches), although it sometimes wanders into nearby farm fields, pastures, and woodlots. This snake will bask or forage on raised dikes, muskrat houses, and road embankments but only rarely climbs into trees or shrubbery. Although not strictly aquatic, they are good swimmers capable of moving considerable distances over open offshore waters and between islands.

In a typical year Eastern fox snakes are active from mid-April until late October but are most often seen abroad during May and June. Whether they are truly inactive during the summer or simply become more nocturnal in response to warmer temperatures is unclear. Females lay their eggs in rotted stumps or shallow burrows, or under logs, boards, or mats of decaying vegetation. They hibernate during the winter months in abandoned mammal burrows or other frost-free shelters.

The Eastern fox snake is a boldly marked, nonpoisonous species with dark blotches patterned on a yellowish to light brown background. Alternating with the larger back markings are smaller ones along the sides. The head is reddish and the underside is yellowish with dark markings. Adults measure an average of 3 to 5 feet. Immatures are paler in color than adults.

Lakeplain wet-mesic prairies are known to occur near Towers DTM-001 (Sprint Cell Tower) and DTM-005 (Algonac State Park). These natural communities are native lowland grasslands on moist, level, occasionally inundated sites. Dominant vegetation includes little blue-stem (*Andropogon scoparius*) and yellow Indian grass (*Sorghastrum nutans*), less often switch grass (*Panicum virgatum*), big blue-stem (*Andropogon gerardii*) and woolly fruit sedge (*Carex lanuginosa*).

In summary, the project site may include suitable habitat for the above listed species. Potential impacts might include direct destruction of species and disturbance of critical habitat. Clearance from this

office in the form of a "No Effect" statement will be needed before land altering activities on this project begin. To obtain an evaluation for project clearance, please provide at least one of the following to this office:

1. Description of the project area with regard to the species habitat type(s) described above. A recent photo of the project site and a map that shows habitat type(s) and location(s) of the proposed project will be necessary. This can be done by the landowner, other responsible party, or knowledgeable source (i.e. botanist, ecologist, biologist, experienced birder, etc.). This level of evaluation will only define the presence or absence of available habitat. If this office determines that there is no significant available habitat, the project may be cleared at this point. If potential habitat does exist, the next level of evaluation must be undertaken (see options 2 or 3 below).

OR

2. A statement from a knowledgeable source (see above) stating that suitable habitat is or is not present and why the project will not impact the species or habitat(s) identified above.

OR

3. Results from a complete and adequate survey by a knowledgeable source (see above) showing whether or not the above listed species are present in the affected project area. Guidelines for conducting surveys can be obtained from this office on request. For additional information and guidance for conducting surveys, including consultation with MNFI staff biologists, please contact me at the number below or go to the DNR website at www.michigandnr.com/publications/pdfs/huntingwildlifehabitat/TE_consultants.pdf.

In most situations, the most efficient, thorough, and expeditious evaluation of the project and its impacts results from option 3. Please provide information in writing to the mailing address or e-mail provided below.

Michigan Department of Natural Resources
Wildlife Division – Natural Heritage Program
PO Box 30180
Lansing, MI 48909

Thank you for your advance coordination in addressing the protection of Michigan's natural resource heritage. If you have further questions, please call me at 517-373-1263 or e-mail at SargentL@michigan.gov.

Sincerely,



Lori G. Sargent
Endangered Species Specialist
Wildlife Division

22575780886LRF

RECEIVED
JUN 08 2009
By

NOTICE OF AVAILABILITY
DRAFT ENVIRONMENTAL ASSESSMENT (EA) AND PROPOSED FINDING OF NO SIGNIFICANT IMPACT (FONSI) FOR THE PROPOSED SBINET DETROIT PROJECT, DETROIT SECTOR, MICHIGAN

U.S. Customs and Border Protection (CBP), a component of the Department of Homeland Security (DHS), announces the availability of and invites public comments on a draft EA and proposed FONSI for the proposed Sbinet Detroit Project. Pursuant to the National Environmental Policy Act (NEPA) of 1969, 42 United States Code (U.S.C.) 4321 et seq., CBP has prepared the draft EA and proposed FONSI to identify and assess the potential impacts associated with the proposed siting, construction, operation, and maintenance of sensor and communications towers, vehicles, supporting infrastructure components, and technological improvements to existing facilities within the Detroit Sector. The location for the Proposed Action, which is known as the "Sbinet Detroit Project," is an approximately 50-mile corridor along the St. Clair River (U.S.-Canada International Border) within Detroit Sector, Michigan.

The draft EA and proposed FONSI were prepared in accordance with CBP's obligations under NEPA, the Council on Environmental Quality (CEQ) implementation regulations at 40 Code of Federal Regulations (CFR) Parts 1500-1508, and DHS Management Directive 023-01 (Environmental Planning Program). Copies of the Detroit Project draft EA and proposed FONSI can be downloaded from the project website at www.cbp.gov/sbi under the link SBI NEPA Documents for Public Review and Comment. Additionally, copies will be available in the following libraries for public review:

St. Clair County Library Headquarters 210 McMoran Blvd. Port Huron, Michigan 48060 (810) 387-7323	Marine City Library 300 S. Parker Marine City, Michigan 48039 (810) 785-5233
St. Clair Library 3113 S. Second Street St. Clair, Michigan 48079 (610) 379-3951	Algonac-Clay Library 3011 St. Clair River Dr. Algonac, Michigan 48001 (810) 794-6471

Pursuant to the NEPA regulations, CBP invites public participation in the NEPA process. The public may participate by reviewing and submitting comments on the draft EA and proposed FONSI. The public may submit comments by one of three methods described below. CBP will consider all applicable and pertinent comments submitted during the public comment period, and subsequently will prepare the final EA. CBP will announce the availability of the final EA and FONSI.

Comments on the draft EA and proposed FONSI should be received no later than July 5, 2009. Please use only one of the following methods:

- By Email to: DetroitComments@cbp.dhs.gov
- By mail to: Ms. Patricia E. Patterson, RPA, Director of Environmental Planning, U.S. Department of Homeland Security, Sbinet Program Management Office, U.S. Customs and Border Protection, Headquarters, 1309 Pennsylvania Avenue, NW, Room 75C-104, Washington, D.C. 20529
- By fax to: (202) 344-2490.

When submitting comments, please include your name and address, and identify your comments as being for the Sbinet Detroit draft EA and proposed FONSI. To request a hard copy of the draft EA, please use one of the aforementioned contact methods.

PT-715710
5/15/09

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IN THE MATTER OF: NOTICE
GULF SOUTH RESEARCH CORP.

Rachelle Franklin

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PORT HURON TIMES HERALD

5/15/09

Rachelle Franklin
Rachelle Franklin

SUBSCRIBED AND SWORN TO BEFORE ME THIS 15TH

DAY OF MAY, 2009

JIM THELEN
NOTARY PUBLIC, STATE OF MICHIGAN, COUNTY OF CLINTON
MY COMMISSION EXPIRES: MARCH 30, 2011
ACTING IN THE COUNTY OF INGHAM

PT-715710

JAMES A. THELEN
Notary Public, State of Michigan
County of Clinton
My Commission Expires Mar. 30, 2011
Acting in the County of Ingham

James A. Thelen



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

May 27, 2009

Ms. Patience E. Patterson, Director
Environmental Planning
U.S. Customs and Border Protection
U.S. Department of Homeland Security
1300 Pennsylvania Avenue NW, Room 7.5C-104
Washington, D.C. 20229

Dear Ms Patterson:

Thank you for the opportunity to review the Draft Environmental Assessment (EA) for the SBInet Detroit Project. A response to a threatened/endangered species review request was sent from this office February 10, 2009. In that response four threatened species were listed as being present in the area. Upon review of this Draft EA I noticed some omissions and causes for concern in regard to threatened species protection.

The potential for the peregrine falcon (*Falco peregrinus*) was addressed in the Draft EA but an animal species, that is of primary concern in the area, is the Eastern fox snake (*Pantherophis gloydi*). No mention of surveys for this species in any of the project sites or potential impacts to the species was included in the Draft EA. There was also no mention of surveys done for state threatened plants including Sullivant's milkweed (*Asclepias sullivantii*) or smooth beard tongue (*Penstemon calycosus*) or potential impacts to these species either. The eastern fox snake is known to occur near the site of Tower DTM-005 near Algonac State Park. Sullivant's milkweed and smooth beard tongue are both known to occur near the site of Tower DTM-001 (Sprint Cell Tower).

Under Act 451 of 1994, the Natural Resources and Environmental Protection Act, Part 365, Endangered Species Protection, "a person shall not take, possess, transport, ...fish, plants, and wildlife indigenous to the state and determined to be endangered or threatened," unless first receiving an Endangered Species Permit from the Department of Natural Resources, Wildlife Division. The presence of threatened or endangered species does not preclude activities or development, but may require alterations in the project plan. *Species may be present that have not been recorded in the database.*

We believe that going forward with the construction could not only kill these species but destroy the habitat in which they live and possibly exterminate the species from the area. We would like to see a plan for protection of this rare species with regard to these new towers.

NATURAL RESOURCES COMMISSION

Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • John Madigan • Timothy L. Nichols • J. R. Richardson • Frank Wheatlake

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www.michigan.gov/dnr • (517) 373-2329

Great Lakes, Great Times, Great Outdoors!

Please contact me if you have questions or concerns. Thank you.

Sincerely,


Lori G. Sargent
Endangered Species Specialist
Wildlife Division
(517) 373-1263

cc: Tim Payne, DNR Wildlife Division
Andrew Hartz, DEQ Land & Water Management Division
Anne Hokanson, DEQ Land & Water Management Division
David Dortman, DEQ Land & Water Management Division

From the Desk of Kenneth J. Baker

May 28, 2009

U.S. Customs and Border Protection

Dear Mr. Riordan:

Recently, I received a letter regarding the Idle Hour Yacht Club, located at 7800 South Channel Drive, Harsens Island, MI 48001, being a possible location for surveillance. I would like to take the opportunity to discuss this matter with you.

You can reach me at my office, Monday through Friday, at 586 463-0545. I can also be reached at my home at 810 794-5341.

Thank you for your assistance in this matter to clarify some thing for me.

Respectfully,



Ken Baker



Office of City Engineer

Phone: (810) 984-9730 - Fax (810) 984-2463

www.porthuron.org



May 28, 2009

Ms. Patience E. Patterson
RPA, Director of Environmental Planning
U.S. Department of Homeland Security
SBInet Program Management Office
U.S. Customs & Border Protection Headquarters
1300 Pennsylvania Avenue
NW, Room 7.5C-104
Washington, D.C. 20229

Dear Ms. Patterson:

Thank you for the opportunity to comment on the Draft Environmental Assessment for the Proposed SBInet Detroit Project. Our staff reviewed the document and have no comments on the proposed document at this time. The Draft Environmental Assessment appears to address any environmental concerns we would have regarding this project.

Sincerely,

Robert E. Clegg, P. E.
City Engineer/Director of Public Works

REC/cs



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
BOX 1027
DETROIT, MICHIGAN 48231-1027

IN REPLY REFER TO:

JUN 09 2009

Planning Office
Environmental Analysis Branch

Ms. Patience E. Patterson, RPA
Director of Environmental Planning
U.S. Department of Homeland Security
SBInet Program Management Office
U.S. Customs and Border Protection, Headquarters
1300 Pennsylvania Avenue, NW, Room 7.5C-104
Washington, D.C. 20229

Dear Ms. Patterson:

This letter is in response to the May 13, 2009, correspondence transmitting the May 2009 Environmental Assessment for the proposed SBInet Detroit Project, U.S. Border Patrol, Detroit Sector, Michigan. The SBInet Detroit Project proposed action involves construction, operation, and maintenance of sensor and communications towers and associated features along approximately 35 miles of the St. Clair River. The following comments are provided pursuant to our civil works/floodplain management program and our regulatory program.

Gull Island, the site for Tower DTM-011, was created from shoal material dredged from the Federal navigation channels. The Detroit District, Corps of Engineers (Corps) is no longer placing shoal material at the site, but since it is a Corps-owned site, your project will need to be approved by our Real Estate Office. Mr. Gregory C. Lambert, Special Operations Supervisor, of your Detroit, Michigan, Sector Office, has been working with our Real Estate Office towards obtaining such approval. Also, please notify us if any project activities may affect the Federal navigation channel, such as an electric supply line crossing; such activities would need to be reviewed by our Operations Office.

The Gull Island site and associated work, including the electric supply line installation in the lake bottom, and any work associated with any of the sites, that may affect wetlands or waters of the United States, will also require a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. No activities under the Corps of Engineers' regulatory jurisdiction may commence without prior Corps authorization. We understand from Mr. Lambert that your agency is preparing a permit application and will provide it to our Regulatory Office to initiate the permit review process. If you have any questions about the Corps permit process, please contact Rachel Nys of our Regulatory Office at 313-226-1329.

Some of the proposed SBInet Detroit Project activities would occur in the 100-year floodplain. The presence of a project in the floodplain does not necessarily mean an impact on the floodplain. However, if you obtain information indicating that any of the CDBG projects would in fact impact the floodplain, you should consider other sites. This would be consistent with current Federal policy to formulate projects that, to the extent possible, avoid or minimize adverse impacts associated with use of the floodplain.

We also recommend that you coordinate the CDBG proposals with local officials and with the Michigan Department of Environmental Quality (MDEQ) regarding the applicability of a floodplain permit prior to construction. This coordination would help ensure full compliance with local and state floodplain management regulations and acts. The MDEQ Southeast Michigan Floodplain Engineering contacts are Ms. Maria Zingas and Mr. Patrick Durack (586-753-3872 or -3865) at the Warren, Michigan, MDEQ office.

We appreciate the opportunity to comment on the proposed SBInet Detroit Project, U.S. Border Patrol, Detroit Sector, Michigan. Any questions may be directed to Mr. Paul Allarding at 313-226-7590 or me at 313-226-6752.

Sincerely,



Les E. Weigum
Chief, Environmental Analysis Branch
Planning Office

Copies furnished:

Rachel Nys, Corps Regulatory Office, Detroit MI

Shawn Sanchez, Corps Real Estate Office, Detroit MI

Ken Drum, Corps Operations Office, Detroit MI



United States Department of the Interior

FISH AND WILDLIFE SERVICE

East Lansing Field Office (ES)
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

IN REPLY REFER TO:

June 10, 2009

Ms. Patience E. Patterson, RPA
U.S. Department of Homeland Security
SBInet Program Management Office
U.S. Customs and Border Protection, Headquarters
1300 Pennsylvania Avenue NW, Room 7.5C-104
Washington, DC 20229

Re: Draft Environmental Assessment for the Proposed SBInet Detroit Project, U.S. Border Patrol, Detroit Sector, Michigan

Dear Ms. Patterson:

We have reviewed the aforementioned Draft Environmental Assessment (DEA), provided to our office under cover letter dated May 11, 2009. We provide these comments under the authority of the Fish and Wildlife Coordination Act and the Endangered Species Act of 1973, as amended, and in accordance with the National Environmental Policy Act of 1969, as amended.

General Comments

The DEA provides a discussion of the environmental consequences from construction of the proposed action. The document adequately identifies potential impacts to fish and wildlife resources, including federally listed species and migratory birds. We offer the following specific comments and suggest incorporation into the Final Environmental Assessment (FEA).

Specific Comments

Mitigation Measures

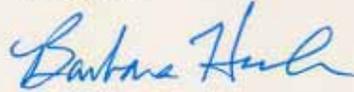
Section 5.1, *Project Planning/Design Communication and Wind Towers*, Pages 115-116: In the discussion of measures adapted from the U.S. Fish and Wildlife Service's (Service) *Interim Guidance on Siting, Construction, and Decommissioning of Communication Towers*, the DEA states that where U.S. Customs and Border Protection (CBP) will be constructing taller (>199 feet above ground level) towers, the minimum amount of lighting required by the Federal Aviation Administration (FAA) will be used. While we strongly support CBP's use of the Service's guidance, Section 2.3 of the DEA does not indicate that CBP would construct any towers greater than 199 feet. We recommend the FEA clarify whether any towers would be taller than 199 feet and indicate what kind of lighting would be used on the towers, regardless of height.

Section 5.6, *Wildlife Resources*, Pages 120-121: We encourage the CBP to schedule construction activities or remove potential habitat before the initiation of spring nesting or after the end of the breeding season to avoid take of migratory birds, eggs, young, and/or active nests.

Summary Comments

We appreciate the opportunity to review the subject document. Please direct any questions to Barbara Hosler of this office at 517/351-6326 or the above address.

Sincerely,



for Craig A. Czarnecki
Field Supervisor

cc: Mike Horton, USFWS, Arlington, VA

Maria Reid

From: MILLER, PAULA M (CTR) [paula.miller@associates.dhs.gov]
Sent: Friday, June 19, 2009 10:02 AM
To: Maria Reid
Cc: PATTERSON, PATIENCE E
Subject: COMMENT ON DTM-DEA-1 FW: Draft Environmental Assessment - St. Clair Power Plant
Attachments: Environmental Assessment Draft.pdf

From: Florence D Washington [mailto:washingtonf@dteenergy.com]
Sent: Monday, June 01, 2009 12:07 PM
To: DETROIT COMMENTS
Subject: Draft Environmental Assessment - St. Clair Power Plant

James Riordan,

In response to your request for review and comment for the SBInet Detroit Project, please see comments below on section 4.3.1 Water, Soils, and Air on page 111.

The following language should be deleted:

"Improvements such as cooling water treatment facilities at the DTE Energy plant in St. Clair treat all effluent before it is pumped into the St. Clair River from the plant. Historically, water from cooling towers would be pumped back into the river while at a higher temperature than the ambient river temperature. This effluent flume of warmer water could cause algal blooms, decreased available oxygen, and eventually fish kills".

The aforementioned information is factually incorrect and not relevant. The St. Clair PP does not have cooling towers. The once through cooling discharge is permitted by the MDEQ and the discharge has minimal impact.

Sincerely,

Florence Washington
Supervisor - Corporate Real Estate
DTE Energy
One Energy Plaza, Suite 1821 WCB
Detroit, MI 48226
Office: 313 235-3481
Fax: 313 235-6390

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(See attached file: Environmental Assessment Draft.pdf)



June 26, 2009

Ms. Lori Sargent
Michigan Department of Natural Resources
Wildlife Division-Natural Heritage Program
P.O. Box 30180
Lansing, MI 48909

RE: Proposed Supplemental Environmental Assessment for the *SBI*net Detroit Project,
U.S. Border Patrol Detroit Sector

Dear Ms. Sargent,

We are responding to your February 10, 2009 and May 27, 2009 correspondence requesting additional information regarding the Proposed Action for the *SBI*net Detroit Project in the U.S. Border Patrol Detroit Sector and the comments you provided during the draft Environmental Assessment public comment period. As requested, a detailed description of the project areas, maps, and representative photographs of each of the proposed site locations is included.

The Proposed Action is a USBP sector-based project and component of the *SBI*net program known as the *SBI*net Detroit project and includes the construction of eight monopole towers and associated access roads, installation of sensor and communications equipment on four existing structures and operation and maintenance of these systems, the upgrading of communications equipment within existing USBP vehicles, and the deployment of a surveillance vehicle, which creates a communications network among components of CBP and other Federal, state, and local partners outside CBP. Video surveillance information gathered from these sensor systems would be communicated back to USBP Detroit Sector. The upgraded communications network would also provide mechanisms to communicate comprehensive situational awareness, including information to incorporate intelligence-driven capabilities at all sector operational levels and locations. The intent of the upgraded communication systems, combined with the towers and surveillance vehicles is to make CBP enforcement actions more efficient and effective. Improved efficiency would reduce the number of vehicle trips required to achieve the mission.

The 13 sensor or communications installations identified below in Table 1 would be able to communicate with the network and with Detroit Sector Headquarters, providing an overall network system of communications and surveillance along the entire St. Clair River border area.

Table 1. Proposed SBN_{et} Detroit Site Locations

Site Number	Site Name	Existing Structure or New Tower Construction?
DTM-001	Sprint Cell Tower	Existing Structure
DTM-002	Algonac Water Filtration Plant	New Tower Construction
DTM-003	Idle Hour Yacht Club	New Tower Construction
DTM-004	Marine City Water Plant	New Tower Construction
DTM-005	Algonac State Park	New Tower Construction
DTM-006	St. Clair River Electric Plant	Existing Structure
DTM-007	St. Clair City Park	New Tower Construction
DTM-008	Old Port Huron USBP Station	New Tower Construction
DTM-009	Port Huron City Building	Existing Structure
DTM-010	Michigan Department of Natural Resources (DNR) Boat Ramp	New Tower Construction
DTM-011	South Channel Delta – Gull Island	New Tower Construction
DTM-012	Selfridge Air National Guard Base	Existing Structure
DTM-013	Harsen’s Island U.S. Coast Guard Aid to Navigation (ATON)	Existing Structure
DTM-013a	MDOT Land Triangle Tower Alternative	New Tower Construction*
DTM-013b	Harsen’s Island ATON Tower Alternative	New Tower Construction*

* Either DTM-013a or DTM-013b would be constructed if DTM-013 is excluded.

The 13 sites for the Proposed Action include installing SBN_{et} equipment on five existing structures (DTM-001, DTM-006, DTM-009, DTM-012, and DTM-013), constructing eight new towers and constructing a total of 1,260 linear feet of new access roads to five of the tower sites. Access roads would be constructed to install, operate, and maintain the proposed towers at Idle Hour Yacht Club (DTM-003), Algonac State Park (DTM-005), St. Clair City Park (DTM-007), Michigan DNR Boat Ramp (DTM-010), and Gull Island (DTM-011). The new access roads would be constructed to provide a 12-foot wide driving surface with 2-foot shoulders on each side (16 feet total width). Additionally, some sections of the new road may require cut and fill while other sections may require a V-ditch on one side of the new road.

In general, one of the up to nine constructed towers in the Detroit SBN_{et} project would:

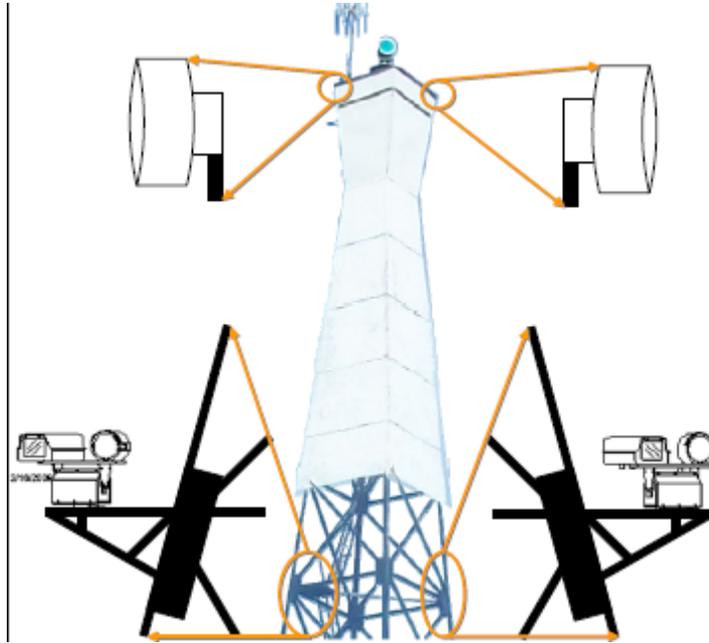
- be 80 to 130 feet tall;
- have a 50- X 50-foot impact footprint;
- not have guy wires; and
- have commercial grid power.

The 50- X 50-foot footprint for each tower to be constructed would be cleared of all vegetation except grass. Individual tower construction staging areas would be located within the construction footprint. The construction time for each proposed tower site is expected to be approximately 60 days and, in general, would occur during daylight

hours; however, it is possible, due to construction schedule constraints, some night-time construction could occur.

There would be no ground disturbance at the five proposed sites listed in Table 1 as Existing Structures. Activity at these sites would be limited to the installation of surveillance and communications on the existing structure by erecting a bracket to support the equipment. Figure 1 depicts a typical drawing of a bracketed installation method.

Figure 1. Typical Bracket Installation for Existing Structure



When tower facility lighting is deemed necessary to meet FAA regulations or CBP operational needs, such as infrared lighting, U.S. Fish and Wildlife Service (USFWS) (2000) *Service Interim Guidelines for Recommendations on Communications Tower Siting, Construction, Operation and Decommissioning* would be implemented to reduce night-time atmospheric lighting and the potential adverse effects of night-time lighting to migratory birds and nocturnal flying species. If the tower sites are illuminated for CBP security purposes, then lighting would utilize low sodium bulbs, prevent illumination outside the footprint of the tower site, and when possible, be activated by motion detectors.

A summary of each site proposed in the *SBI*net Detroit project follows.

DTM-001 (Sprint Cell Tower)

The existing tower site and access road are adjacent to Michigan Highway 154 (M-154) on Harsen's Island (Figure 2). The site is completely leveled and the ground surface has been covered with gravel (Photographs 1 and 2). The installation crew would access the

site through the existing road and tower site gate. Communications equipment would be installed on the existing tower using the bracket installation depicted above. No additional ground disturbance would occur at this site.



Photograph 1. DTM-001, Sprint Cell Tower site enclosure fence and gravel substrate



Photograph 2. DTM-001, Sprint Cell Tower

Your letters expressed concerns regarding Sullivant's milkweed (*Asclepias sullicantii*), smooth beard tongue (*Penstemon calycosus*), and Lakeplain wet-mesic prairie occurring near this site. During the site surveys, these plant species were not found within the cell tower enclosure or access road. Impacts beyond the existing footprint of the enclosure and access road are not expected; therefore, CBP has determined that the installation of equipment on the existing Sprint cell tower at site DTM-001 would have no effect on Sullivant's milkweed, smooth beard tongue, and Lakeplain wet-mesic prairie.

DTM-002 (Algonac Water Filtration Plant)

The proposed tower site for DTM-002 is on the Algonac Water Filtration Plant site, adjacent to the M-29 in Algonac, Michigan (Figure 3). The existing road is adequate for maintenance access, however during construction; a barge may be required to deliver the tower sections and components. The monopole tower would be connected to the commercial grid power. The only vegetation on-site is maintained lawn (Photographs 3, 4, 5, and 6). There are spruce trees (*Picea* spp.) on adjacent properties to the north and south of the site.





Photograph 5. DTM-002 Algonac Water Filtration plant - facing northeast



Photograph 6. DTM-002 Algonac Water Filtration plant - facing southwest - NOAA weather station

DTM-003 (Idle Hour Yacht Club)

The proposed tower site for DTM-003 is located off of South Channel Drive at the Idle Hour Yacht Club (Figure 4). The monopole tower would be connected to the commercial grid power. Existing access to the Yacht Club is via South Channel Drive. The proposed tower site for DTM-003 is located on a maintained lawn (Photograph 7, and 8). There are two large willow trees (*Salix* sp.) on the Yacht Club property. An approximately 250-foot long access road to the tower site would be constructed for tower construction and maintenance (Photograph 9).



Photograph 7. DTM-003 Idle Hour Yacht Club - facing north



Photograph 8. DTM-003 Idle Hour Yacht Club - facing east



Photograph 9. DTM-003 Idle Hour Yacht Club – location of new access road

DTM-004 (Marine City Water Plant)

The proposed tower site for DTM-004 is located approximately 100 feet northeast of the Marine City Water Plant on South Water Street in Marine City, Michigan (Figure 5). The monopole tower would be connected to the commercial grid power. The proposed DTM-004 tower site is located on a maintained lawn (Photographs 10, 11, and 12). There are few mature trees growing in the area, but all are less than 80 feet tall. Access to the proposed site via existing roads and parking lots are adequate for installation and maintenance.



Photograph 10. DTM-004 Marine City Water Plant - facing northeast



Photograph 11. DTM-004 Marine City Water Plant - facing northwest



Photograph 12. DTM-004 Marine City Water Plant - facing southwest

DTM-005 (Algonac State Park)

The proposed tower site for DTM-005 is located approximately 50 feet east of M-29 within the Algonac State Park (Figure 6). The monopole tower would be connected to the commercial grid power. A 6-foot security fence would be erected around the perimeter of this tower. Existing access to the park is M-29. An approximately 120-foot access road would be constructed for tower construction and maintenance. Vegetation at the proposed site DTM-005 consists of maintained turf grass, giant reed, black willow (*Salix nigra*), goldenrod (*Solidago* sp.), and ash (*Fraxinus* sp.) trees (Photographs 13 and 14). The ash trees were recently cut in a sanitation harvest due to an infestation of emerald ash borer (*Agilus planipennis*).



Photograph 13. DTM-005 Algonac State Park - facing north



Photograph 14. DTM-005 Algonac State Park - facing east

Your letters (February 10, 2009 and May 27, 2009) refer to the potential for eastern fox snake (*Patherophis gloydi*) occurrence in this area. It is possible that during construction a monitor would be stationed at this site to protect from accidental “take.” An exclusionary fence would also be erected during construction to keep individual eastern fox snakes from entering the construction site.

DTM-006 (St. Clair River Electric Plant)

The proposed tower site for DTM-006 is located on the St. Clair River Electric Plant off of M-29 and Pointe Drive in St. Clair, Michigan (Figure 7). Equipment will be mounted onto an existing structure (Photographs 15, 16, 17, and 18). The height of the equipment will be 140 feet and will be connected to a commercial power grid. Access to the proposed site via existing roads and parking lots are adequate for installation and maintenance. No vegetation exists at this location. A pair of Peregrine falcons (*Falco peregrinus*) are known to nest near DTM-006; however, as the birds have returned to this site for 3 or 4 years and this nesting site is located on a building within the electric plant, the addition of cameras and communications equipment would have no effect on the peregrine falcon or its ability to continue to nest in this area. Additionally, the installation of the cameras and communication equipment is scheduled to occur outside of nesting season.



Photograph 15. DTM-006 St. Clair River Electric Plant - tower location



Photograph 16. DTM-006 St. Clair River Electric Plant - facing north



Photograph 17. DTM-006 St. Clair River Electric Plant - facing east



Photograph 18. DTM-006 St. Clair River Electric Plant - facing west

DTM-007 (St. Clair City Park)

The proposed tower site for DTM-007 is located approximately 100 feet east of M-29 within a St. Clair City Park (Figure 8). The monopole tower would be connected to the commercial grid power. An approximately 110-foot access road would be constructed for tower construction and maintenance. The vegetation at the DTM-007 site includes a maintained grassy lawn and a large black willow, white pine (*Pinus strobus*), and landscaped shrubs (Photographs 19, 20, and 21).



Photograph 19. DTM-007 - St. Clair City Park - facing North



Photograph 20. DTM-007 St. Clair City Park - facing South



Photograph 21. DTM-007 St.ClairCity Park – facing East

DTM-008 (Old Port Huron USBP Station)

The proposed tower site for DTM-008 is located approximately 100 feet west of River Road at the Old Port Huron USBP Station in Marysville, Michigan (Figure 9). The monopole tower would be connected to the commercial grid power. Access to the proposed site via existing roads and parking lots are adequate for installation and maintenance. Vegetation consists of a maintained lawn and various landscaped shrubs and spruce trees (*Picea* spp.) (Photographs 22, 23, and 24).



Photograph 22. DTM-008 Old Port Huron USBP Station - facing east



Photograph 23. DTM-008 Old Port Huron USBP Station - facing northeast



Photograph 24. DTM-008 Old Port Huron USBP Station - facing west

DTM-009 (Port Huron City Building)

The proposed site for DTM-009 is the rooftop of the Port Huron City Building on Merchant Street and McMorran Boulevard in Port Huron, Michigan (Figure 10). Equipment will be mounted onto an existing structure (Photograph 25, 26, and 27). The height of the equipment will be 92 feet and will be connected to a commercial power grid. Access to the proposed site via existing roads and parking lots are adequate for installation and maintenance. No vegetation exists at this location.



Photograph 25. DTM-009 Port Huron City Building - tower location facing east



Photograph 26. DTM-009 Port Huron City Building - tower location facing northwest



Photograph 27. DTM-009 Port Huron City Building rooftop - existing communication equipment - facing east

DTM-010 (Michigan Department of Natural Resources [DNR] Boat Ramp)

The proposed tower site for DTM-010 is located off of Michigan Highway 29, approximately 50 feet south of the existing parking facility at the Michigan DNR boat ramp in Algonac, Michigan (Figure 11). The monopole tower would be connected to the commercial grid power. Existing access to the Michigan DNR site is via M-29. An approximately 80-foot access road would be constructed for tower construction and maintenance. The dominant vegetation on-site at the DTM-010 site is a maintained lawn (Photographs 28, 29, 30, and 31). There is also giant reed, black willow, and aster (*Aster* spp.) growing adjacent to the fence at the property line.



Photograph 28. DTM-010 DNR Boat Ramp - facing south



Photograph 29. DTM-010 DNR Boat Ramp - facing southeast



Photograph 30. DTM-010 DNR Boat Ramp - facing southwest



Photograph 31. DTM-010 DNR Boat Ramp - facing west

DTM-011 (South Channel Delta- Gull Island)

The proposed tower site for DTM-011 is located on an island in the south channel delta of the St. Clair River (Figure 12). The monopole tower would be connected to the existing commercial electrical power grid by sinking the electric supply line in a trench, which would be dug in the St. Clair River approximately 1.6 miles long, 6 to 8 feet deep, and 8 inches wide, below the river substrate. An 8-foot security fence topped with 3-strand barbed wire would be erected around the perimeter of this tower. Access to the proposed site must be by boat or barge. There is no infrastructure currently on the island. Access to the proposed site must be by boat or barge. There is no infrastructure currently on the island. During the construction phase on the island, a barge would be beached to serve as a temporary landing facility. All equipment would be maneuvered onto the island from the beached barge or additional barges tethered to the beached barge. Once construction is complete, the beached barge would be removed. An access road would be constructed from the boat approach area to the proposed tower site (approximately 700 feet of road). The entire proposed tower site and access road are located within wetland habitat. Species such as black willow, redosier dogwood (*Cornus sericea*), giant reed, staghorn sumac (*Rhus typhina*), goldenrod, greenbrier (*Smilax* spp.), common mullein (*Verbascum thapsus*), and horsetail (*Equisetum* spp.) are found on Gull Island (Photograph 32).



Photograph 32. DTM-011 Gull Island - facing east

DTM-012 (Selfridge Air National Guard Base)

The proposed site for DTM-012 is an existing building which houses communications equipment at the Selfridge Air National Guard Base near Mount Clemens, Michigan (Figure 13). The proposed communications relay tower (CRT) will be 90 feet in height and will connect to the commercial grid power. Access to the proposed site via existing roads and parking lots are adequate for installation and maintenance. No vegetation exists at this location (Photograph 33, 34, 35, and 36).



Photograph 33. DTM-012 Selfridge ARNG Base - rooftop - facing north



Photograph 34. DTM-012 Selfridge ARNG Base - rooftop - facing south



Photograph 35. DTM-012 Selfridge ARNG Base - rooftop - facing east



Photograph 36. DTM-012 Selfridge ARNG Base - rooftop - facing southwest

DTM-013 (Harsen's Island U.S. Coast Guard Aid to Navigation)

The proposed tower site for DTM-013 is located approximately 200 feet east of the intersection of M-154 and Voakes Road in Harsen's Island, Michigan (see Figure 2). Equipment will be mounted onto an existing structure. The height of the equipment will be 86 feet and will be connected to a commercial power grid. Access to the proposed site via existing roads are adequate for installation and maintenance. The dominant vegetation on-site at the DTM-013 site is a maintained lawn (Photograph 37). However, no disturbance to the vegetation is expected since the *SBI*net equipment will be mounted to an existing structure.



Photograph 37. DTM-013 Harsen's Island U.S. Coast Guard Tower - another picture facing south

If site DTM-013 is found to be insufficient for the project's needs, then one of the two alternate sites (DTM-013a or DTM-013b) may be used. DTM-013a is located within the land triangle created by the intersection of M-154, Voakes Road, and South Channel Drive on Harsen's Island (Figures 14 and 15). DTM-013b is located approximately 50 feet northwest of the existing Harsen's Island ATON site (DTM-013). Vegetation at both alternate sites consists of mowed lawn (Photographs 38 and 39). A monopole tower would be constructed at one of these sites if the communications and surveillance equipment cannot be installed on the existing ATON structure at site DTM-013. No access road construction would be necessary for either alternative site.



Photograph 38. DTM-001, Sprint Cell Tower site enclosure fence and gravel substrate



Photograph 39. DTM-013b would be constructed approximately 50 feet northwest of the existing Harsen's Island U.S. Coast Guard Tower - facing north

Construction of a monopole tower at the eight sites (DTM-002, DTM-003, DTM-004, DTM-005, DTM-007, DTM-008, DTM-010, and DTM-011), along with construction of access roads needed to facilitate tower installation and maintenance at DTM-003, DTM-005, DTM-007, DTM-010, and DTM-011 would disturb soils and would impact a maximum of 0.94 acre of vegetation. Very little vegetation would be damaged at the proposed locations; in fact, most are lacking mature vegetation due to past and on-going human disturbances. Vegetation communities that do occur are comprised of invasive species (*i.e.*, giant reed) or landscaped species. At some of the proposed tower sites, minor trimming of overhanging branches and limbs may be necessary. All precautions would be taken to avoid adverse impacts to adjacent trees. If site DTM-013 is found to be insufficient for the project's needs, then one of the two alternate sites (DTM-013a or DTM-013b) may be used. The construction of DTM-013a would impact an additional 0.08 acre (0.06 acre for the tower site and 0.02 for safety guardrail installation). The construction of DTM-013b, if necessary, would impact an additional 0.06 acre. The remaining project sites (DTM-001, DTM-006, DTM-009, DTM-012, and DTM-013) are on existing structures and as a result, no vegetation would be impacted.

All but two of the proposed tower sites (DTM-005 and DTM-011) are within developed areas containing wildlife species adapted to habitation in developed areas. Negligible adverse effects to wildlife populations would be expected since habitat similar to those being impacted exists adjacent to the proposed sites. The relatively small area of disturbance, and the disturbance itself, would be limited to short periods of time (*i.e.*, during construction). No aquatic habitats that could support aquatic species would be directly impacted. Indirect impacts such as erosion could impact aquatic resources; however, due to the limited size of the proposed sites and the use of general construction and operation restrictions, these effects would be minimized. Therefore, negligible effects to the region's fish and wildlife populations would be expected due to the construction of the tower systems. Once the towers are installed, the operation and maintenance of the systems would also have negligible effects on the region's wildlife.

If you have any further questions, please call me at (225) 757-8088.

Sincerely,

A handwritten signature in cursive script, appearing to read "Maria Bernard Reid".

Maria Bernard Reid
Natural Resources

figures attached



Figure 2: SBInet Detroit Tower Site Locations DTM-001 and DTM-013



June 2009



Figure 3: SBN Tower Site Locations DTM-002

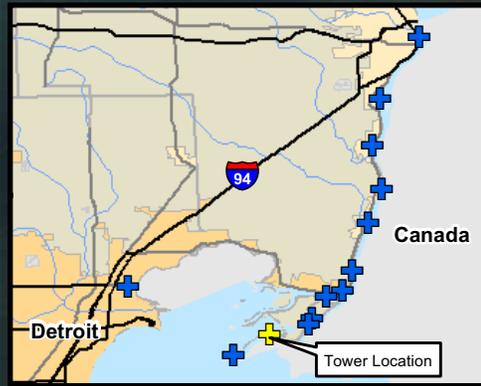


Figure 4: SBlnet Detroit Tower Site Locations DTM-003



April 2009

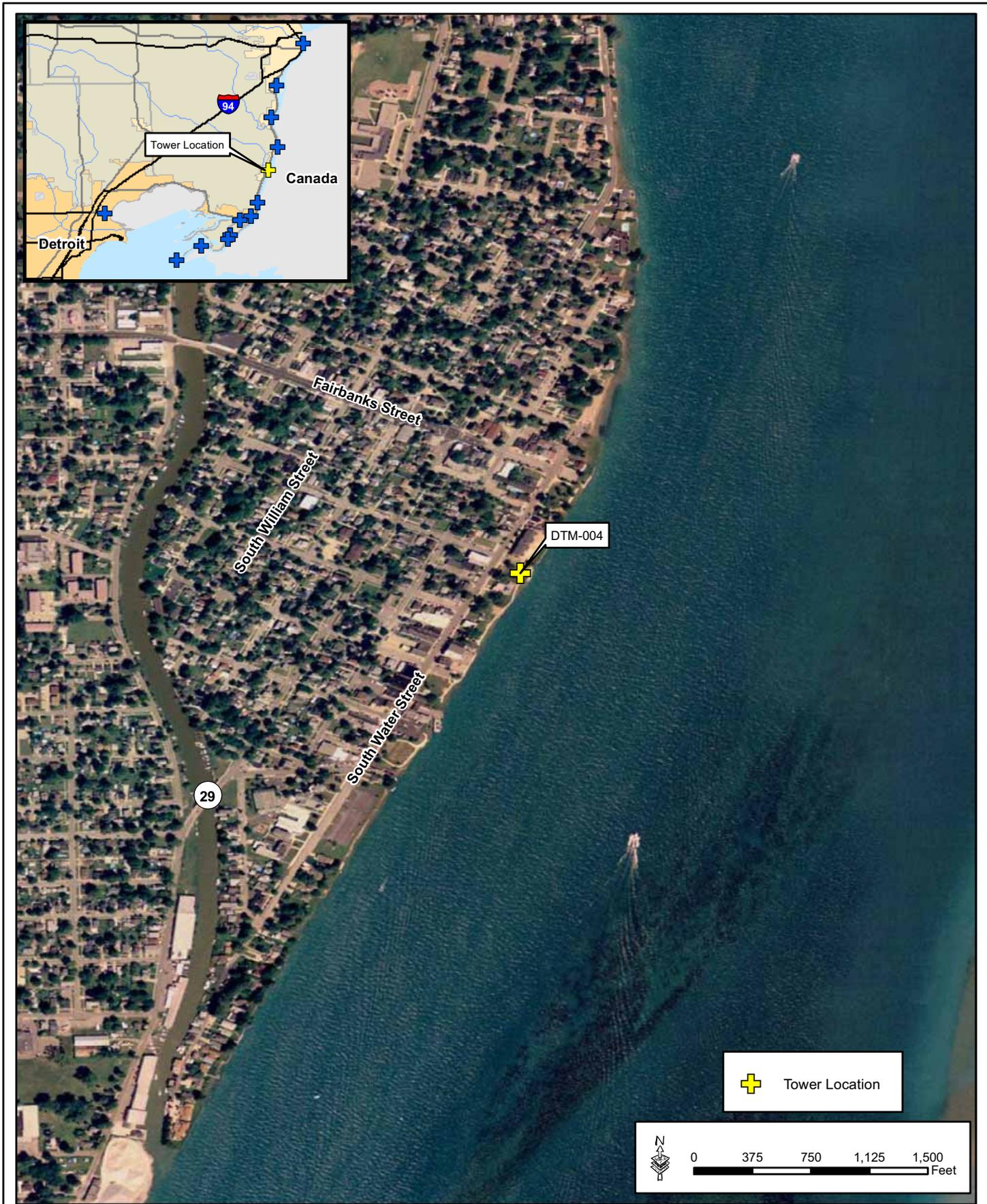


Figure 5: SBlnet Detroit Tower Site Locations DTM-004



April 2009



Figure 6: SBNnet Detroit Tower Site Locations DTM-005

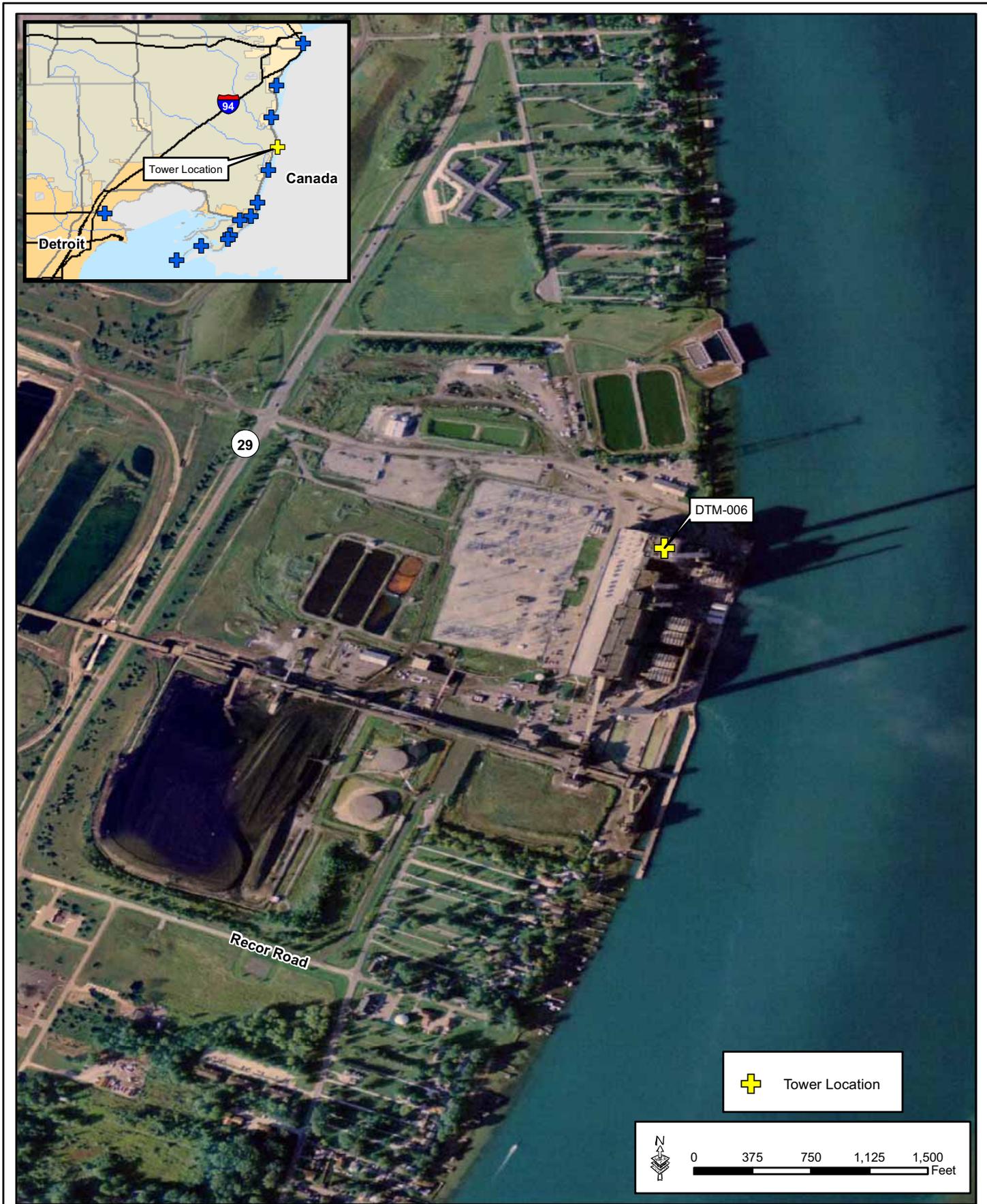


Figure 7: SBlnet Detroit Tower Site Locations - DTM-006



April 2009



Figure 8: SBInet Detroit Tower Site Locations - DTM-007



Figure 9: SBlnet Detroit Tower Site Locations - DTM-008



Figure 10 : SBlnet Detroit Tower Site Locations - DTM-009



April 2009



Figure 11 : SBlnet Detroit Tower Site Locations - DTM-010



April 2009

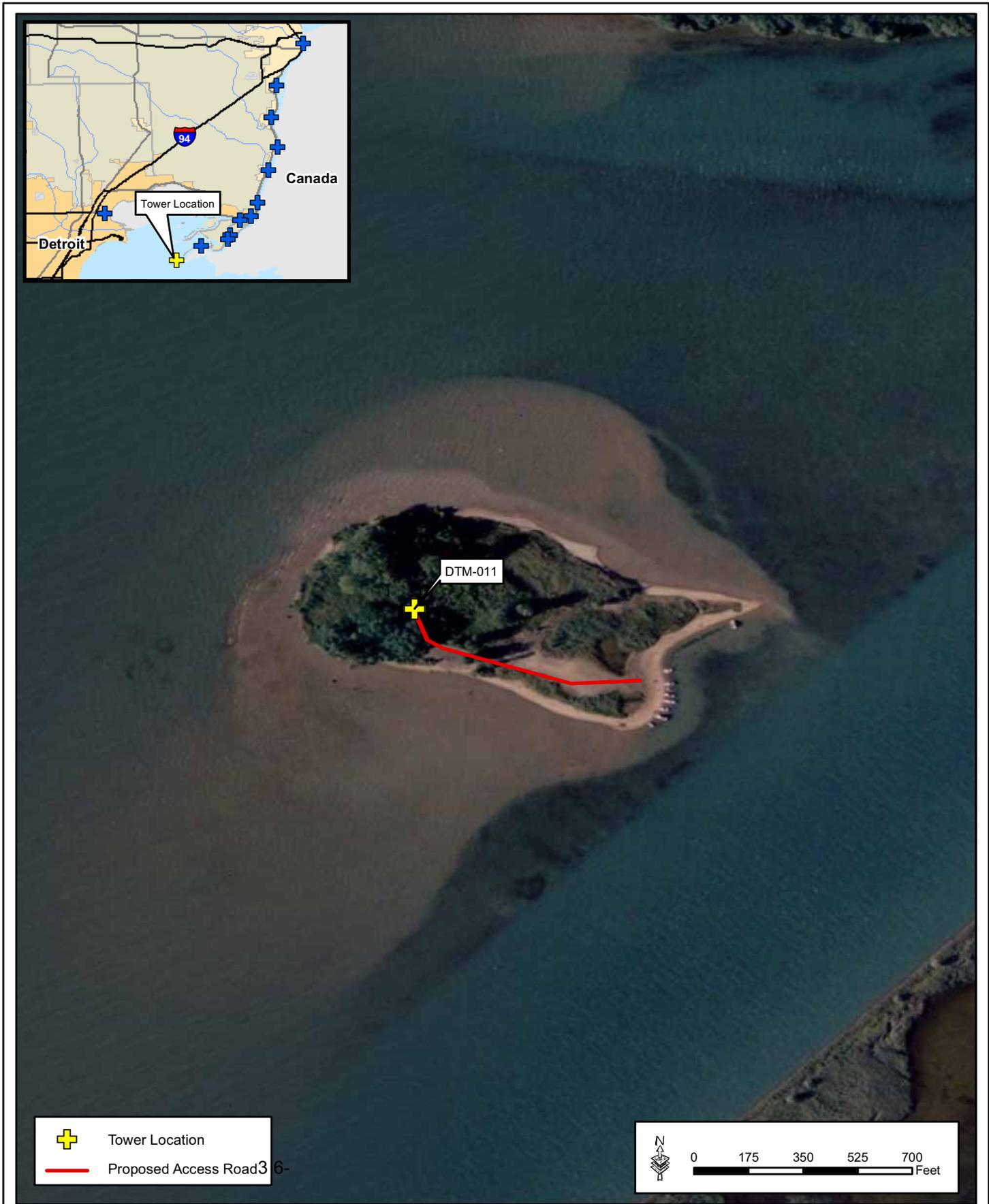


Figure 12 : SBI^{net} Detroit Tower Site Locations - DTM-011



April 2009



Figure 13 : SBlnet Detroit Tower Site Locations - DTM-012



Figure 14: SBInet Detroit Tower Site Locations - DTM-013a



June 2009



Figure 15: SBInet Detroit Tower Site Locations - DTM-013b



State Historic Preservation Office
Environmental Review Office
ATTN: Brian Grennell, Environmental Review Specialist
Michigan Historical Center
702 W. Kalamazoo Street
Lansing, MI 48909-8240

June 29, 2009

Dear Mr. Grennell:

On behalf of the U.S. Customs and Border Protection (CBP) and the Department of Homeland Security, the U.S. Army Corps of Engineers (USACE), Fort Worth District intends to prepare an Environmental Assessment (EA) for the Secure Border Initiative (SBI^{net}) Detroit Project in the U.S. Border Patrol (USBP) Detroit Sector. This EA will address the construction, operation, and maintenance of 13 sensor and communication systems and associated access roads. Eight of the 13 sites are expected to require the construction of a monopole tower to accommodate the sensor and communications equipment. This system of towers and access roads creates a communications network for the Sector. It is an integrated system and not the equivalent of individual "telephone cell towers." Five of the proposed 13 project sites would require no tower construction as the camera and communication systems would be installed on existing structures. The 13 project sites, plus one alternate site, are:

Tower Number	Name	Section Township Range	Quadrangle
DTM-001	Sprint Cell Tower	S 2, No township, Land Grants, Civil Colonies	Algonac
DTM-002	Algonac Water Filtration Plant	S 10 T2N R16 E	Algonac
DTM-003	Idle Hour Yacht Club	No township, Land Grants, Civil Colonies	St. Clair Flats
DTM-004	Marine City Water Plant	S1 T3N R16E	Marine City
DTM-005	Algonac State park	No township, Land Grants, Civil Colonies	Marine City
DTM-006	St. Clair River Electric Plant	S 303, No township, Land Grants, Civil Colonies	St. Clair
DTM-007	St. Clair City Park	No township, Land Grants, Civil Colonies	St. Clair
DTM-008	Old Port Huron Station	S 255, No township, Land Grants, Civil Colonies	Port Huron
DTM-009	Port Huron City Building	S11 T6N R16E	Port Huron
DTM-010	DNR Boat Ramp	S9 T2N R16E	Algonac
DTM-011	South Channel Delta – Gull Island	T1N R15E	St. Clair Flats
DTM-012	Selfridge Air National Guard Base Building 1030	S 195, No township, Land Grants, Civil Colonies	New Haven
DTM-013	Harsen's Island ATON or Alternate	S 2, No township, Land Grants, Civil Colonies	Algonac
DTM-013A	Harsen's Island, Land Triangle Site	S 2, No township, Land Grants, Civil Colonies	Algonac



SECURE BORDER INITIATIVE (SBI_{net}) DETROIT PROJECT, U.S. Border Patrol, Detroit Sector, MI

Each tower to be constructed would have the subsequent design, power requirements, and site and fence enclosure footprint:

- Tower height – approximately 80 to 120 feet
- Power source – commercial grid power. All power lines would be installed either overhead or in buried cables from the main trunk line to the tower site shelter and then on an elevated cable tray to the tower. The installation of overhead or buried lines would occur within the surveyed road construction buffer area
- Site construction footprint - 100- X 100-foot

The 100- X 100-foot temporary construction footprint for each proposed tower would be cleared and grubbed. Individual tower construction staging areas would be located within the construction footprint. The construction time for each proposed tower site is expected to be approximately 60 days and, in general, would occur during daylight hours. However it is possible, due to construction schedule constraints, some night-time construction could occur.

In accordance with Michigan State Historic Preservation Office (SHPO) directives this letter and the attachments are the application for Section 106 review.

You have previously indicated that you do not wish to receive a copy of the Draft EA for the SBI_{net} Detroit Project once completed.

Your prompt attention to this request would be greatly appreciated. If you have any questions, please call Ms. Patience Patterson at (202) 344-1131 or (202) 870-7422 or Ms. Paula Miller at (202) 344-2315.

Sincerely,

A handwritten signature in black ink, appearing to read "James Riordan", with a stylized flourish at the end.

Mr. James Riordan
Executive Program Director, SBI_{net}

Enclosures



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

July 8, 2009

Ms. Patience E. Patterson, Director
Environmental Planning
U.S. Customs and Border Protection
U.S. Department of Homeland Security
1300 Pennsylvania Avenue, NW, Room 7.5C-104
Washington, D.C. 20229

Dear Ms Patterson:

Information received June 26, 2009 regarding the impacts of the proposed *SBlnet* Detroit Project in Macomb and St. Clair Counties has been reviewed. The information was found

to adequately address the concerns for potential threatened and endangered species at the site in question.

not adequately address the concerns for potential threatened and endangered species at the site in question.

Based on the provided information,

The proposed project should have no direct impacts on known special natural features at the location(s) specified if it proceeds according to the plans provided. Please contact me for an evaluation if the project plans are changed.

The following special features may occur on the site(s) and should be avoided and protected from harm from all activities associated with the project and in perpetuity from any future activities on the property.

An endangered species permit is required if activities will harm the species that are present, including transplanting them to another location.

The project may proceed with recommendations listed below. You are advised to minimize or eliminate impacts on endangered and threatened species and to report observations to this office.

Other recommendations:

Thank you for your cooperation in addressing the protection of Michigan's Natural Resource Heritage. If you have further questions I can be reached at 517-373-9418.

Sincerely,



Lori G. Sargent
Endangered Species Specialist
Wildlife Division
SargentL@michigan.gov

cc: Tim Payne, DNR Wildlife Division
Andrew Hartz, DEQ Land & Water Management Division
Anne Hokanson, DEQ Land & Water Management Division
David Dortman, DEQ Land & Water Management Division
Maria Reid, Gulf South Research Corp.

Attention: Ms. Patterson

Director of Environmental Planning, U.S. Department of Homeland Security, SBInet Program Management Office, U.S. Customs and Border Protection, Headquarters, 1300 Pennsylvania Avenue, NW, Room 7.5C-104, Washington, D.C. 20229

Re: Customs and Border Protection (CBP)

Dear Ms. Patience E. Patterson ,

Please be advised that a security fence should be installed around the Algonac Water Department . I have lived next to the Water Department for 55 years and believe that this fence is needed for Customs Border and Security reasons.

Yours truly,



Henry J. Perkowski
1516 St. Clair River Drive
Algonac, Michigan 48001



JENNIFER GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBI)net) Detroit Project - DTM-001 Sprint Cell Tower,
Section 2, T2N, R16E, Clay Township, St. Clair County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that **no historic properties are affected** within the area of potential effects of this undertaking.

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. **In all cases**, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c-f).

This letter evidences the U. S. Customs and Border Protection's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of the U. S. Customs and Border Protection's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1) "No historic properties affected".

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,



Martha MacFarlane Faes
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMF:JRH:BG



JENNIFER GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBInet) Detroit Project - DTM-002 Algonac Water Filtration Plant, Section 10, T2N, R16E, Algonac, St. Clair County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that **no historic properties are affected** within the area of potential effects of this undertaking.

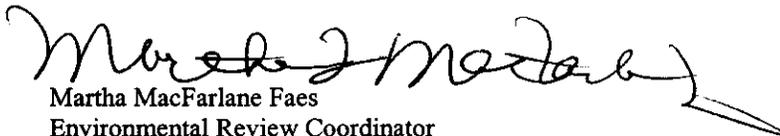
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Sincerely,



Martha MacFarlane Faes
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMF:JRH:BGG



STATE OF MICHIGAN
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

JENNIFER GRANHOLM
GOVERNOR

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBI)net) Detroit Project - DTM-005 Algonac State Park,
T3N, R16E, Clay Township, St. Clair County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that **no historic properties are affected** within the area of potential effects of this undertaking.

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This letter evidences the U. S. Customs and Border Protection's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of the U. S. Customs and Border Protection's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1) "No historic properties affected".

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Sincerely,

Martha MacFarlane Faes
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMF:JRH:BGG



STATE OF MICHIGAN
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

JENNIFER GRANHOLM
GOVERNOR

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBI)net Detroit Project - DTM-006 St. Clair River Electric Plant, T4N, R17E, East China Township, St. Clair County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that **no historic properties are affected** within the area of potential effects of this undertaking.

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. **In all cases**, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c-f).

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Sincerely,

Martha MacFarlane Faes
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMF:JRH:BGG



STATE OF MICHIGAN

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

JENNIFER GRANHOLM
GOVERNOR

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBInet) Detroit Project - DTM-008 Old Port Huron Station,
Section 8, T5N, R17E, Marysville, St. Clair County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that **no historic properties are affected** within the area of potential effects of this undertaking.

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. **In all cases**, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c-f).

This letter evidences the U. S. Customs and Border Protection's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of the U. S. Customs and Border Protection's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1) "No historic properties affected".

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to **maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.**

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,


Martha MacFarlane Faes
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMF:JRH:BGG



JENNIFER GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBI)net Detroit Project - DTM-012 Selfridge ANG Base,
T2N, R14E, Harrison Township, Macomb County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the change in the scope of work for the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that the effects of the proposed undertaking do not meet the criteria of adverse effect [36 CFR § 800.5(a)(1)]. Therefore, the project will have **no adverse effect** [36 CFR § 800.5(b)] on Selfridge Field, which appears to meet the criteria for listing in the National Register of Historic Places.

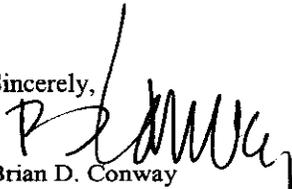
The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. **In all cases**, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c).

This letter evidences the U. S. Customs and Border Protection's compliance with 36 CFR § 800.4 "Identification of historic properties" and 36 CFR § 800.5 "Assessment of adverse effects", and the fulfillment of the U. S. Customs and Border Protection's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.5(c) "Consulting party review".

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to **maintain a copy** of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Martha MacFarlane Faes, Environmental Review Coordinator, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,


Brian D. Conway
State Historic Preservation Officer

BDC:JRH:BGG



STATE OF MICHIGAN

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

JENNIFER GRANHOLM
GOVERNOR

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBInet) Detroit Project - DTM-014 Harsen's Island Land Triangle, Section 2, T2N, R16E, Clay Township, St. Clair County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that **no historic properties are affected** within the area of potential effects of this undertaking.

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. **In all cases**, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c-f).

This letter evidences the U. S. Customs and Border Protection's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of the U. S. Customs and Border Protection's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1) "No historic properties affected".

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work **changes in any way**, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

Martha MacFarlane Faes
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMF:JRH:BGG



STATE OF MICHIGAN

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

JENNIFER GRANHOLM
GOVERNOR

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBInet) Detroit Project - DTM-009 Port Huron City Building
Roof, Section 11, T6N, R17E, Port Huron, St. Clair County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that **no historic properties are affected** within the area of potential effects of this undertaking.

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. **In all cases**, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c-f).

This letter evidences the U. S. Customs and Border Protection's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of the U. S. Customs and Border Protection's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1) "No historic properties affected".

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work **changes in any way**, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

Martha MacFarlane Faes
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMF:JRH:BGG



STATE OF MICHIGAN

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

JENNIFER GRANHOLM
GOVERNOR

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBInet) Detroit Project - DTM-010 MI DNR Boat Ramp,
Section 9, T2N, R16E, Algonac, St. Clair County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that **no historic properties are affected** within the area of potential effects of this undertaking.

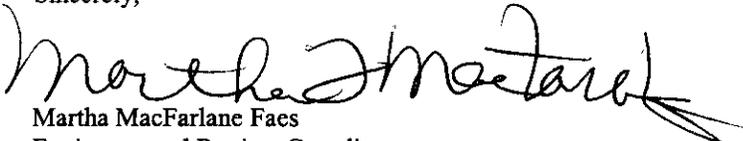
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This letter evidences the U. S. Customs and Border Protection's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of the U. S. Customs and Border Protection's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1) "No historic properties affected".

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work **changes in any way**, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,



Martha MacFarlane Faes
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMF:JRH:BG



STATE OF MICHIGAN

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

JENNIFER GRANHOLM
GOVERNOR

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBInet) Detroit Project - DTM-011 South Channel Delta / Gull Island, T2N, R15E, Clay Township, St. Clair County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that **no historic properties are affected** within the area of potential effects of this undertaking.

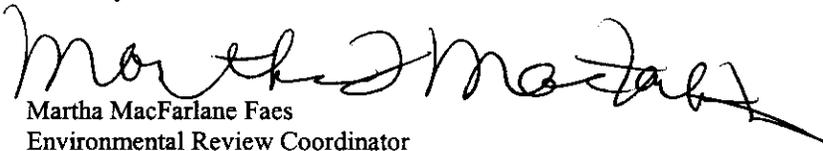
The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. **In all cases**, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c-f).

This letter evidences the U. S. Customs and Border Protection's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of the U. S. Customs and Border Protection's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1) "No historic properties affected".

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work **changes in any way**, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,



Martha MacFarlane Faes
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMF:JRH:BGG



STATE OF MICHIGAN

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

JENNIFER GRANHOLM
GOVERNOR

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBI)net) Detroit Project - DTM-013 Harsen's Island Aid to Navigation, Section 2, T2N, R16E, Clay Township, St. Clair County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that **no historic properties are affected** within the area of potential effects of this undertaking.

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. **In all cases**, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c-f).

This letter evidences the U. S. Customs and Border Protection's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of the U. S. Customs and Border Protection's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1) "No historic properties affected".

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work **changes in any way**, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

Martha MacFarlane Faes
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMF:JRH:BGG



JENNIFER GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBI)net Detroit Project - DTM-003 Idle Hour Yacht Club,
T2N, R15E, Clay Township, St. Clair County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that **no historic properties are affected** within the area of potential effects of this undertaking.

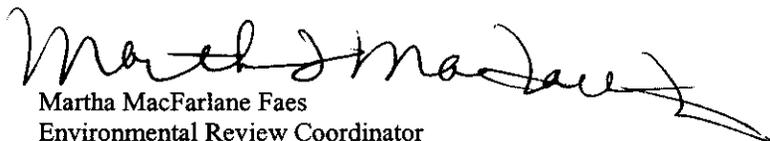
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This letter evidences the U. S. Customs and Border Protection's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of the U. S. Customs and Border Protection's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1) "No historic properties affected".

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work **changes in any way**, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,



Martha MacFarlane Faes
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMF:JRH:BGG



STATE OF MICHIGAN

JENNIFER GRANHOLM
GOVERNOR

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

MARK HOFFMAN
ACTING DIRECTOR

July 31, 2009

PATIENCE PATTERSON
U S CUSTOMS AND BORDER PROTECTION
DEPARTMENT OF HOMELAND SECURITY
WASHINGTON DC 20229

RE: ER09-494 Secure Border Initiative (SBInet) Detroit Project - DTM-007 St. Clair City Park,
T5N, R16E, City of St. Clair, St. Clair County (CBP/DHS)

Dear Ms. Patterson:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that the proposed undertaking will have an **adverse effect** on the St. Clair Inn, which is listed in the National Register of Historic Places.

This undertaking meets the criteria of adverse effect because: *the undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association [36 CFR § 800.5(a)(1)]* Specifically, the undertaking will result in:

- The introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features.

The finding of adverse effect will prompt the Department of Homeland Security, hereinafter referred to as "Agency", to consult further to resolve the adverse effect pursuant to 36 CFR § 800.6 by proceeding with the following steps:

(1) Per 36 CFR § 800.6(a), the Agency shall continue consultation with the SHPO and other consulting parties to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate adverse effects on historic properties. The Agency shall submit a case study outlining these efforts for review by the SHPO.

(2) In accordance with 36 CFR § 800.6(a)(4), the Agency shall make information regarding this finding available to the public, providing the public with an opportunity to express their views on resolving adverse effects of the undertaking. Pursuant to 36 CFR § 800.11(e), copies or summaries of any views provided by consulting parties and the public shall be made available to the SHPO as part of the case study outlined in (1).

(3) The Agency shall immediately notify the Advisory Council on Historic Preservation (Advisory Council), Old Post Office Building, 1100 Pennsylvania Avenue, NW, Suite 809, Washington, D.C. 20004, of the adverse effect finding per 36 CFR § 800.6 (a)(1). The notification to the Advisory Council

should be similar to the project information submitted to this office and should include the following documentation as outlined in 36 CFR § 800.11(e).

- A description of the undertaking, specifying the federal involvement, and its area of potential effects, including photographs, maps and drawings, as necessary.
- A description of the steps taken to identify historic properties.
- A description of the affected historic properties, including information on the characteristics that qualify them for inclusion in the National Register of Historic Places.
- A description of the undertaking's effects on historic properties.
- An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize or mitigate adverse effects.
- Copies or summaries of any views provided by consulting parties and the public.

(4) The Agency shall invite the Advisory Council to participate in consultation if the undertaking will affect a National Historic Landmark, if a Programmatic Agreement will be developed as a result of the finding of adverse effect, or if the Agency wants the Advisory Council to participate in consultation. The Advisory Council will advise of its decision to participate in consultation within fifteen (15) days of receipt of this notification or other request. If the Advisory Council chooses not to participate in consultation, the Agency shall resolve the adverse effect without Advisory Council participation and pursuant to 36 CFR § 800.6(b)(1).

(5) If the Agency, the SHPO and, if applicable, the Advisory Council agree on how the adverse effects will be resolved, they shall execute a Memorandum of Agreement (MOA) pursuant to 36 CFR § 800.6(c).

(6) If the Agency and the SHPO fail to agree on the terms of the MOA, the Agency shall request the Advisory Council to join the consultation. If the Advisory Council decides to join the consultation, the Agency shall proceed in accordance with 36 CFR § 800.6(b)(2). If the Advisory Council decides not to join the consultation, the Advisory Council will notify the Agency and proceed to comment in accordance with 36 CFR § 800.7.

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. **In all cases**, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c).

Please note that the Section 106 process will not conclude according to 36 CFR § 800.6 “Resolution of Adverse Effects” until the consultation process is complete, an MOA is developed, executed and implemented, and, if applicable, the formal comments of the Advisory Council have been received.

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Martha MacFarlane Faes, Environmental Review Coordinator, at (517) 335-2720 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

Brian D. Conway
State Historic Preservation Officer

BDC:JRH:BGG

Enclosure(s)

copy: Advisory Council on Historic Preservation

