



Del Rio Sector Border Barrier Remediation Plan DoD 284 Funded Projects Stakeholder Feedback Report

Table of Contents

| | |
|--|----------|
| 1. Introduction and Background..... | 2 |
| 1.1 Purpose of this Report | 3 |
| 2. Public Input Process | 3 |
| 2.1 Public Feedback Review | 3 |
| 3. Summary of Public Feedback | 3 |
| 3.1. Topic | 4 |
| 3.1.1 Habitat and Wildlife..... | 4 |
| 3.1.2 Erosion Concerns | 4 |
| 3.1.3 Impacts to Cultural Resources..... | 4 |
| 4. Review Next Steps..... | 4 |



1. Introduction and Background

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

On June 9, 2021, the Department of Homeland Security (DHS) completed plans for the redirection of funds concerning the southern border barrier, as directed by Presidential Proclamation No. 10142 (the DHS Plan). On July 11, 2022, DHS completed an amendment to the DHS Plan (Plan Amendment). The DHS Plan and Plan Amendment provide for use of prior year border barrier appropriations to fund close-out and remediation work at the former 284 project sites turned over to DHS.

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

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

The incomplete DoD 284 border barrier construction projects located in the U.S. Border Patrol's Del Rio Sector spanned approximately 4 miles in Maverick and Val Verde counties, Texas.

On Aug. 2, 2022, CBP released its San Diego Sector Border Barrier Remediation Plan for public comment. The public comment period closed on Sept. 2, 2022. The Remediation Plan described the proposed close-out and remediation activities which include, but are not limited to, the following: installation of erosion control measures, completion of safety work on border and access roads, revegetation of disturbed areas, drainage completion and repair, and implementation of Stormwater Pollution Prevention Plan and Best Management Practices, and invasive species control. Comments collected during the comment period will be used to prioritize and inform the Scope of Work for the close-out and remediation projects.



1.1 Purpose of this Report

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

2. Public Input Process

From Aug. 2 to Sept. 2, 2022, input was collected regarding actions needed to address life and safety issues, project priorities, and best practices. CBP sent informational materials to federal, state, and local agencies, environmental non-governmental organizations, and tribes to solicit input. The notification and informational materials (Appendix A) were also posted online.

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

2.1 Public Feedback Review

Members of the Infrastructure Portfolio team reviewed all comments received during the comment period, responded to comments as appropriate, and prepared this report to summarize public input. The comment review was conducted based on explicit concerns; comments that were not specific or contained vague statements were not interpreted by the reviewers. Comments that provided substantive information were further assessed by CBP.

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

3. Summary of Public Feedback

All comments received by CBP have been reviewed and categorized. Four comments were received during the comment period, all of which were received via email and all of which were considered to be unique. No comments were received via StoryMap. As the



comments were received, they were reviewed and categorized by their primary topic and area of concern. If a comment included substantive information on multiple topics or multiple project areas, it was included in each relevant category.

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

3.1. Topic

3.1.1 Habitat and Wildlife

One comment suggested reseeding any native plants removed during construction with native vegetation.

3.1.2 Erosion Concerns

One comment expressed concern about the use of rip rap, asking what it is and how it will be used in these remediation measures.

3.1.3 Impacts to Cultural Resources

One comment referred to the National Historic Preservation Act and listed some of the known historic properties located near the proposed project areas.

One comment suggested Tribes be consulted if any tribal artifacts are found during construction.

4. Review Next Steps

Stakeholder feedback collected during the public comments period and during regular consultations with federal partners will inform project planning and execution.

Stakeholder feedback will also inform the development of the Scope of Work for the close-out and remediation projects.

Pub #: 2045-1022



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

August 2, 2022

SUBJECT: Del Rio Sector Proposed Remediation Actions Associated with the Construction of Border Barrier

To Whom It May Concern:

U.S. Customs and Border Protection (CBP) is seeking your input on proposed remediation actions associated with the construction of border barrier in Maverick and Val Verde Counties, Texas, within the U.S. Border Patrol (USBP) Del Rio Sector.

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

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

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

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

CBP is accepting comments until September 1, 2022. Comments can be submitted on the StoryMap at www.cbp.gov/about/environmental-management or emailed to CBP at DelRioComments@cbp.dhs.gov. Please include "Del Rio Remediation Plan Comments" in the subject of your email. Comments received in by CBP, including names and addresses of those who comment, will become a part of the public record.

You may also provide comments, questions, or concerns by calling 1-800-308-2962 or by mail:

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

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

Respectfully,

A handwritten signature in blue ink that reads "Paul Enriquez". The signature is fluid and cursive, with the first name "Paul" being larger and more prominent than the last name "Enriquez".

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

Enclosure: Del Rio Sector Border Barrier Remediation Plan



Del Rio Sector Border Barrier Remediation Plan

Background

On June 11, 2021, the Department of Defense (DoD) and Department of Homeland Security (DHS) completed plans for the redirection of funds concerning the southern border barrier, as directed by Presidential Proclamation No. 10142. As directed by those plans, DoD has canceled all undertaken border barrier projects funded by 10 U.S.C. § 284 Counter Narcotics (DoD 284 projects), and DHS will not undertake any new border barrier construction on the former 284 projects.

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

Since the termination of the DoD 284 projects, DHS has been working to implement the remediation component of its Plan, including assessing the statuses and conditions of the project sites to determine the scope and extent of remediation work. DHS intends to prioritize funding on those remediation projects needed to address life and safety, including the protection of the public, U.S. Border Patrol (USBP) agents, and nearby communities from potential harms, and avert further potential environmental damage or degradation. This plan summarizes the remediation activities anticipated in the USBP's Del Rio Sector.

Project Location

There are two project segments, totaling 4 miles of replacement border barrier, located in Maverick and Val Verde counties, Texas, within the Del Rio Sector.

In Del Rio, which is located in Val Verde County, planned construction included replacing approximately 2 miles of existing pedestrian barrier with new bollard barrier. However, only approximately 0.5 miles of new barrier was constructed and the remaining approximately 1.5 miles of the alignment still consists of the existing pedestrian barrier. In Eagle Pass, which is located in Maverick County, planned construction included replacing approximately 2 miles of existing pedestrian barrier with new bollard barrier. However, activities were paused when this segment was in the early stages of construction and the majority of the alignment still consists of the existing pedestrian barrier.

An overview of the DoD 284 project segments can be found at: www.cbp.gov/about/environmental-management.

Proposed Activities

In the USBP Del Rio Sector project segments, the proposed life, safety, environmental and remediation activities will include but not be limited to the following:

1. Erosion control measures: Short-term and long-term erosion control measures will include installation of rip rap and other embankment/slope stabilization along slopes and drainages.
2. Completion of safety work on border and access roads: Work will include slope paving and associated erosion control in areas with steep slopes. CBP will work with USBP and other relevant agencies to determine which construction roads will be retained and which will be decommissioned.
3. Revegetation of disturbed areas: Remediation will include reseeding staging areas and vehicle turn-arounds.



4. Drainage completion and/or repair: All drainage crossings will be protected by appropriate measures such as, but not limited to, articulated concrete block, concrete pavement, inlets/outlets, culverts, roadside ditches, debris posts, or a combination thereof.
5. Implementation of Stormwater Pollution Prevention Plan and Best Management Practices: Activities will include removal of sediment from drainages, removal of temporary structures from waterways, and installation of wattle and silt fencing to prevent accumulation of sediment in waterways.
6. Invasive species control: CBP will take steps to control or mitigate the spread of invasive species.
7. Removal of construction materials: CBP will remove construction materials, such as rip rap and spoil piles, from the project areas.
8. Gate installation and repair: Complete and repair automated vehicle gates and associated foundation work.
9. Plant care and use: Plants within the salvaged plant nursery will continue to be cared for and used as necessary to revegetate disturbed areas.
10. Guardrail installation: CBP will install guardrails at low water crossings.
11. Based on CBP's assessment of the DoD 284 project areas, CBP does not believe that it will be required to backfill open trenches or install cattle guards. However, CBP may take such actions, as appropriate, if site conditions show them to be necessary.
12. Installation of small wildlife passages: CBP will also accept comments and suggestions regarding the installation of small wildlife passages in appropriate places along the border.

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

Proposed Schedule

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