

## Conversation Contents

**Fwd: incoming letter**

**Attachments:**

/2. Fwd: incoming letter/1.1 Incoming letter CBP\_2019.pdf  
/2. Fwd: incoming letter/2.1 Incoming letter CBP\_2019.pdf  
/2. Fwd: incoming letter/3.1 LRGV Lands by Co wAcreage Potentially Impacted by Border Fence.8.27.2018.docx  
/2. Fwd: incoming letter/3.2 Signed FWS Border Fence Response Ltr 8-20-18.pdf

**"Jess, Robert" <[robert\\_jess@fws.gov](mailto:robert_jess@fws.gov)>**

---

**From:** "Jess, Robert" <[robert\\_jess@fws.gov](mailto:robert_jess@fws.gov)>  
**Sent:** Tue Jul 16 2019 08:57:53 GMT-0600 (MDT)  
**To:** Ernesto Reyes <[ernesto\\_reyes@fws.gov](mailto:ernesto_reyes@fws.gov)>, Bryan Winton <[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)>, Sonny Perez <[sonny\\_perez@fws.gov](mailto:sonny_perez@fws.gov)>  
**Subject:** Fwd: incoming letter  
**Attachments:** Incoming letter CBP\_2019.pdf

For internal review only- we need to develop a response and were asked to work with ES locals

----- Forwarded message -----

**From:** **Kimbrough, Monica** <[monica\\_kimbrough@fws.gov](mailto:monica_kimbrough@fws.gov)>  
**Date:** Fri, Jul 12, 2019 at 12:54 PM  
**Subject:** incoming letter  
**To:** Kelly McDowell <[kelly\\_mcdowell@fws.gov](mailto:kelly_mcdowell@fws.gov)>, Rob Jess <[robert\\_jess@fws.gov](mailto:robert_jess@fws.gov)>

Kelly -  
Per Aaron, work with SOL to begin drafting a response.

Rob-  
Kelly will reach out this afternoon or Monday to start working on this.

Let me know how I can help.

Monica

**Monica Kimbrough**  
Assistant Refuge Supervisor  
National Wildlife Refuge System  
USFWS, Southwest Region  
**office: 505-248-7419**  
**cell: 505-366-4628**

Stay connected with the [R2 NWRS site](#).

--

robert jess  
project leader  
south texas refuge complex  
alamo, texas

"Believe in yourself, especially when no one else will..." Sasquatch

## "Jess, Robert" <[robert\\_jess@fws.gov](mailto:robert_jess@fws.gov)>

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**From:** "Jess, Robert" <[robert\\_jess@fws.gov](mailto:robert_jess@fws.gov)>  
**Sent:** Wed Jul 17 2019 11:18:05 GMT-0600 (MDT)  
**To:** Bryan Winton <[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)>, Ernesto Reyes <[ernesto\\_reyes@fws.gov](mailto:ernesto_reyes@fws.gov)>, Scot Edler <[scot\\_edler@fws.gov](mailto:scot_edler@fws.gov)>  
**Subject:** Fwd: incoming letter  
**Attachments:** Incoming letter CBP\_2019.pdf

Bryan,  
Please take the lead on a draft document to answer the questions. Scot can assist. Ernesto, would you be willing to take a look to ensure we all are going in the same direction? Bryan, once youve got something together please forward to Ernesto (if he's available as I know he has a full plate) and then to me once comments are received.

We have a deadline by COB tomorrow for me to forward to Kelly and Monica.

Thanks in advance...

rob

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alamo, texas

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**"Reyes, Ernesto" <ernesto\_reyes@fws.gov>**

---

**From:** "Reyes, Ernesto" <ernesto\_reyes@fws.gov>  
**Sent:** Wed Jul 17 2019 14:05:42 GMT-0600 (MDT)  
**To:** "Jess, Robert" <robert\_jess@fws.gov>  
**CC:** Bryan Winton <bryan\_winton@fws.gov>, Scot Edler <scot\_edler@fws.gov>  
**Subject:** Re: incoming letter  
**Attachments:** LRGV Lands by Co wAcreage Potentially Impacted by Border Fence.8.27.2018.docx Signed FWS Border Fence Response Ltr 8-20-18.pdf

Latest Border Fence Letter and Refuge Impacts Attached.

Ernesto Reyes  
U.S. Fish and Wildlife Service  
Alamo Ecological Service Sub-Office  
3325 Green Jay Rd  
Alamo, Texas 78516  
Tel:956-784-7560  
Fax:956-787-8338

On Wed, Jul 17, 2019 at 12:18 PM Jess, Robert <[robert\\_jess@fws.gov](mailto:robert_jess@fws.gov)> wrote:

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alamo, texas

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

June 27, 2019

United States Fish and Wildlife Service  
Ms. Amy Lueders  
PO Box 1306  
Albuquerque, NM 87103-1306

*Aaron -*  
*for*  
*no phase*  
*AL*

**RE: FY19 Rio Grande Valley Levee/Border Wall System Construction Projects Request for Input**

To Ms. Amy Lueders:

U.S. Customs and Border Protection (CBP) is seeking your input concerning the construction of a levee/border wall system in Rio Grande Valley (RGV), Texas. CBP is accepting comments until Monday, August 26, 2019.

CBP proposes to design and construct approximately 95 miles of new border and levee wall system in Starr, Hidalgo, and Cameron counties, including the design and construction of (1) approximately 52 miles of border wall system in Starr County, Texas; (2) approximately 24 miles of levee wall system in Hidalgo County, Texas; and (3) approximately 19 miles of levee/border wall system in Cameron County, Texas.

CBP is seeking input on potential impacts to the environment, culture, quality of life and commerce, including potential socioeconomic impacts. CBP will be conducting environmental site surveys and assessments and is also gathering data and input from state and local government agencies, federal agencies, Native American tribes, and landowners that may be affected by or otherwise have an interest in the construction projects. As the projects progress, there will be additional opportunities for public comment. CBP will prepare environmental planning documents to evaluate potential environmental impacts and make those documents available to the public.

**How to Provide Comments**

Comments and information will be accepted until Monday, August 26, 2019. Comments should include data or information that could help inform CBP's analysis of potential impacts. Helpful comments are fact-based, include links to data or research, and provide specific information concerning potential impacts to biological, cultural, and natural resources. If known, your response should include any state and local restrictions, permitting or other requirements that CBP should consider during project siting, construction, and operation.

Specifically, CBP is looking for answers to the following questions:

- Are you aware of threatened or endangered plant or animal species within the areas of proposed construction? If so, where?

Ms. Amy Lueders

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- Are you aware of recreational activities that take place in the area of proposed construction?
- Are you aware of possible impacts to businesses by the proposed project? Where are those businesses located?
- Are you aware of historical sites or areas of cultural significance located within the area of proposed construction? If so, where?
- Do you foresee your day-to-day activities being impacted by the proposed project?
- Are you aware of any studies, data or other information available that would aid in the analysis of potential environmental impacts in the proposed project area?
- Do you have any recommendations for practices the construction contractor should follow to avoid or minimize impacts?

Comments can be submitted online at [www.regulations.gov](http://www.regulations.gov) by searching docket number "USCBP-2019-0018." Questions can also be emailed to CBP at [commentsenv@cbp.dhs.gov](mailto:commentsenv@cbp.dhs.gov). Please include "FY19 RGV Border Construction Projects" in the subject of your email. Comments received in response to this letter, including names and addresses of those who comment, will be part of the public record. If you are providing a comment about a specific area, please specify that in your comment.

More information about the projects located in your area are included in an attachment to this letter. Additional information about other projects in RGV, including maps and Spanish-language materials, are available at the following web site:  
[www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review](http://www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review)

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

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

We appreciate your feedback and help with evaluating the environmental impacts of these projects.

Sincerely,



Paul Enriquez  
Acquisition, Real Estate and Environmental Director  
Border Wall Program Management Office, U.S. Border Patrol

Enclosure: Fiscal Year 2019 Rio Grande Valley Levee/Border Wall System Construction Projects Overview



## Fiscal Year 2019 Rio Grande Valley (RGV) Levee/Border Wall System Construction Projects Overview

### Proposed Border Barriers for Hidalgo County

The construction projects proposed for Fiscal Year 2019 are similar to other levee and border wall systems located within the Rio Grande Valley. The proposed projects include approximately 24 miles of levee wall system in Hidalgo County.

### Hidalgo County

APPROXIMATELY



24  
MILES

Enclosed you will find maps showing the proposed locations for the levee wall system in **Hidalgo County**. Maps for Starr and Cameron counties are available online at: [www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review](http://www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review)

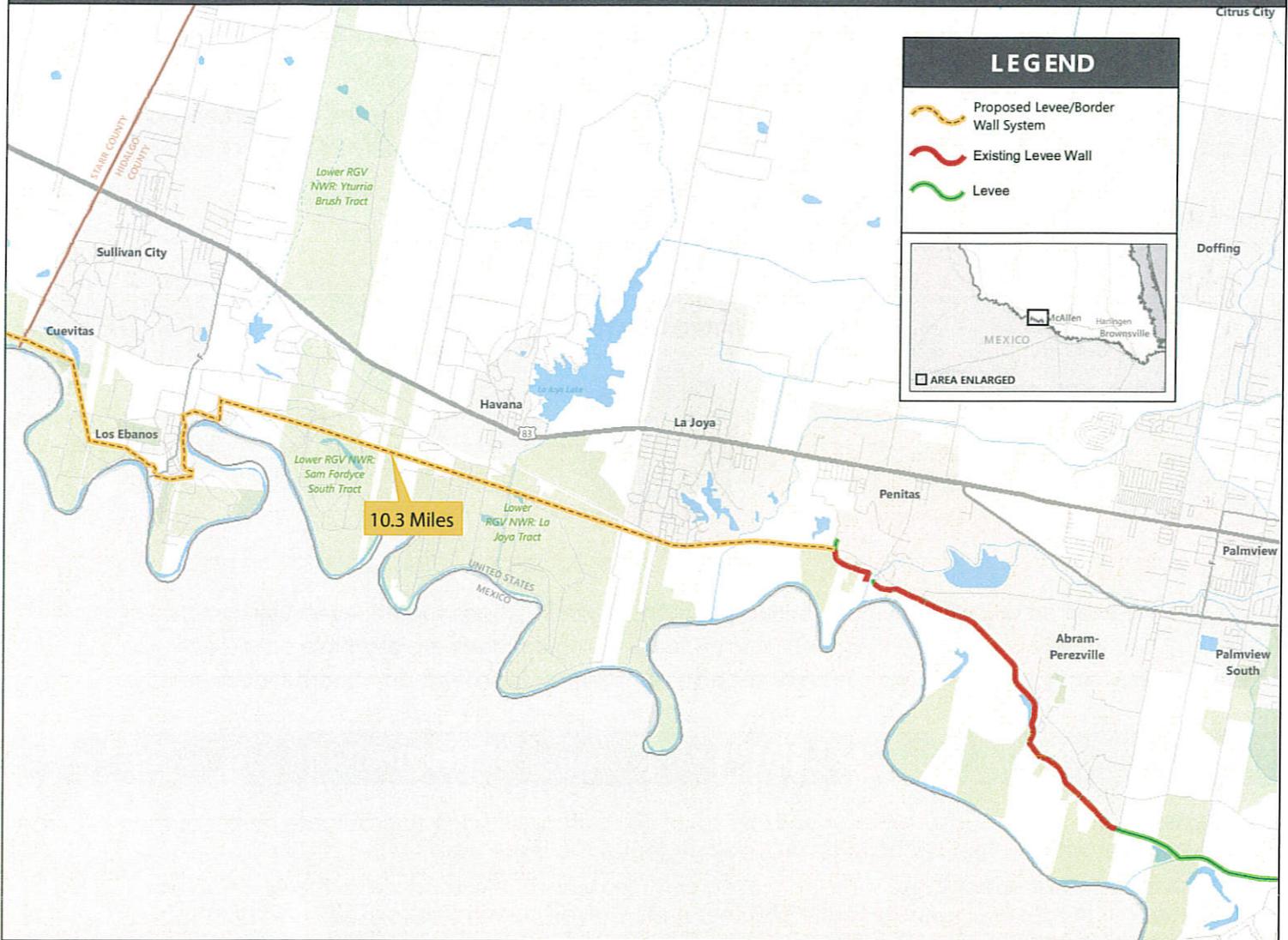
### Additional details of the possible components of the projects are as follows:

- **Levee Wall**— The proposed levee wall consists of concrete wall to the approximate height of the levee crest with 18-foot tall bollards installed on top of the levee wall.
- **150-foot Enforcement Zone**— The proposed enforcement zone extends from the south/river side of the border wall approximately 150 feet and involves clearing all vegetation within the enforcement zone.
- **Gates**— Automated vehicle gates will be installed with a minimum height of 18 feet and minimum width of 20 feet. In addition, gates designed to allow for farming equipment to travel through will be installed where appropriate and range in width from 40 to 50 feet. All gates will be motorized overhead sliding gates.
- **Lighting**— LED lighting will be installed as part of this project. CBP will work with the appropriate stakeholders to develop solutions to avoid excess lighting beyond the enforcement zone.
- **All-Weather Road**— An all-weather patrol road will be constructed on the south/river side, parallel to the border wall and within the 150-foot enforcement zone. The specific location of the road within the enforcement zone will be determined during the design phase of the project.
- **Cameras**— A camera surveillance system will be installed to monitor the wall system, the enforcement zone, and southern approach.



# U.S. Customs and Border Protection

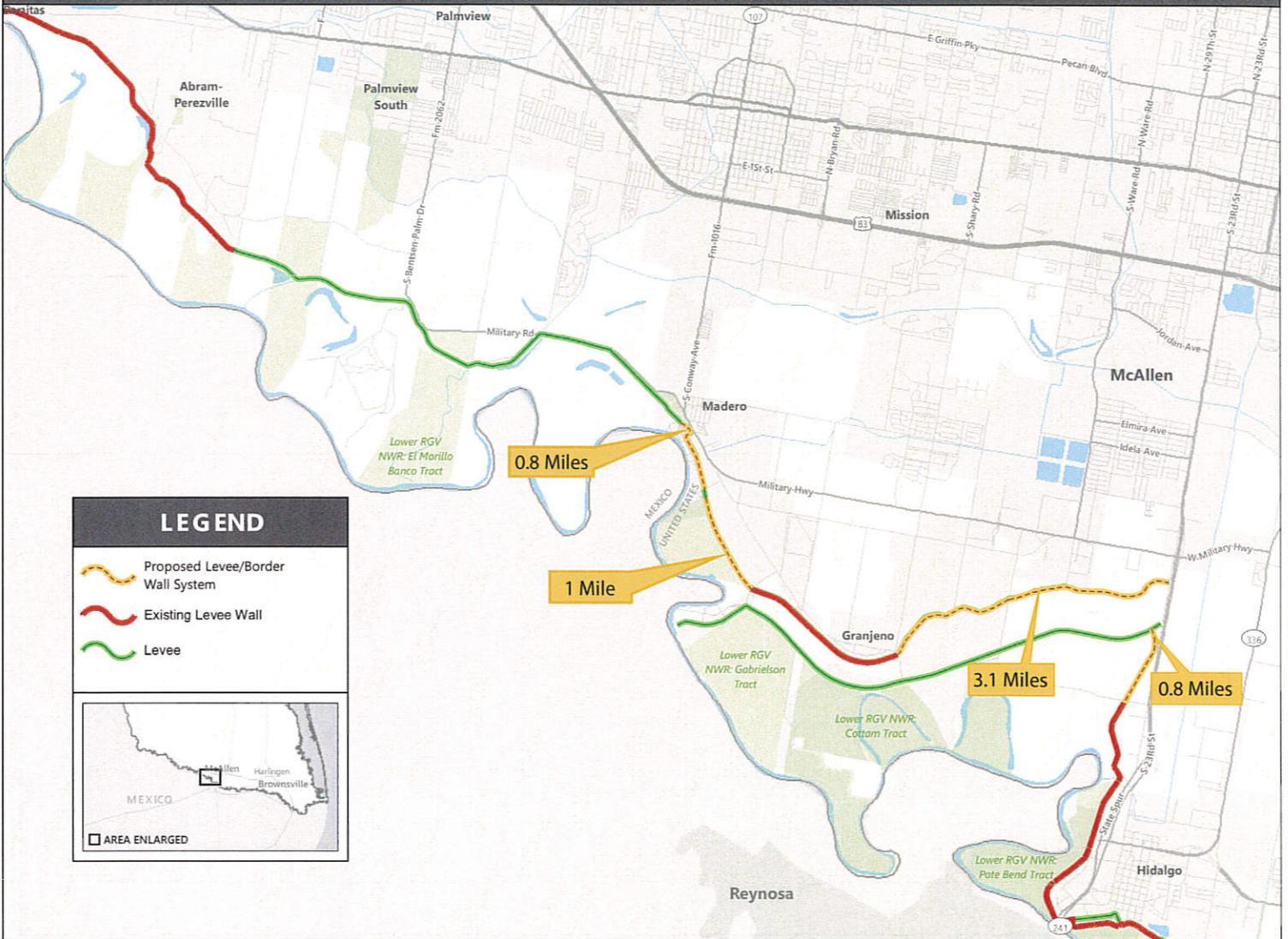
## Proposed Hidalgo County Border Infrastructure Projects





# U.S. Customs and Border Protection

## Proposed Hidalgo County Border Infrastructure Projects





# U.S. Customs and Border Protection

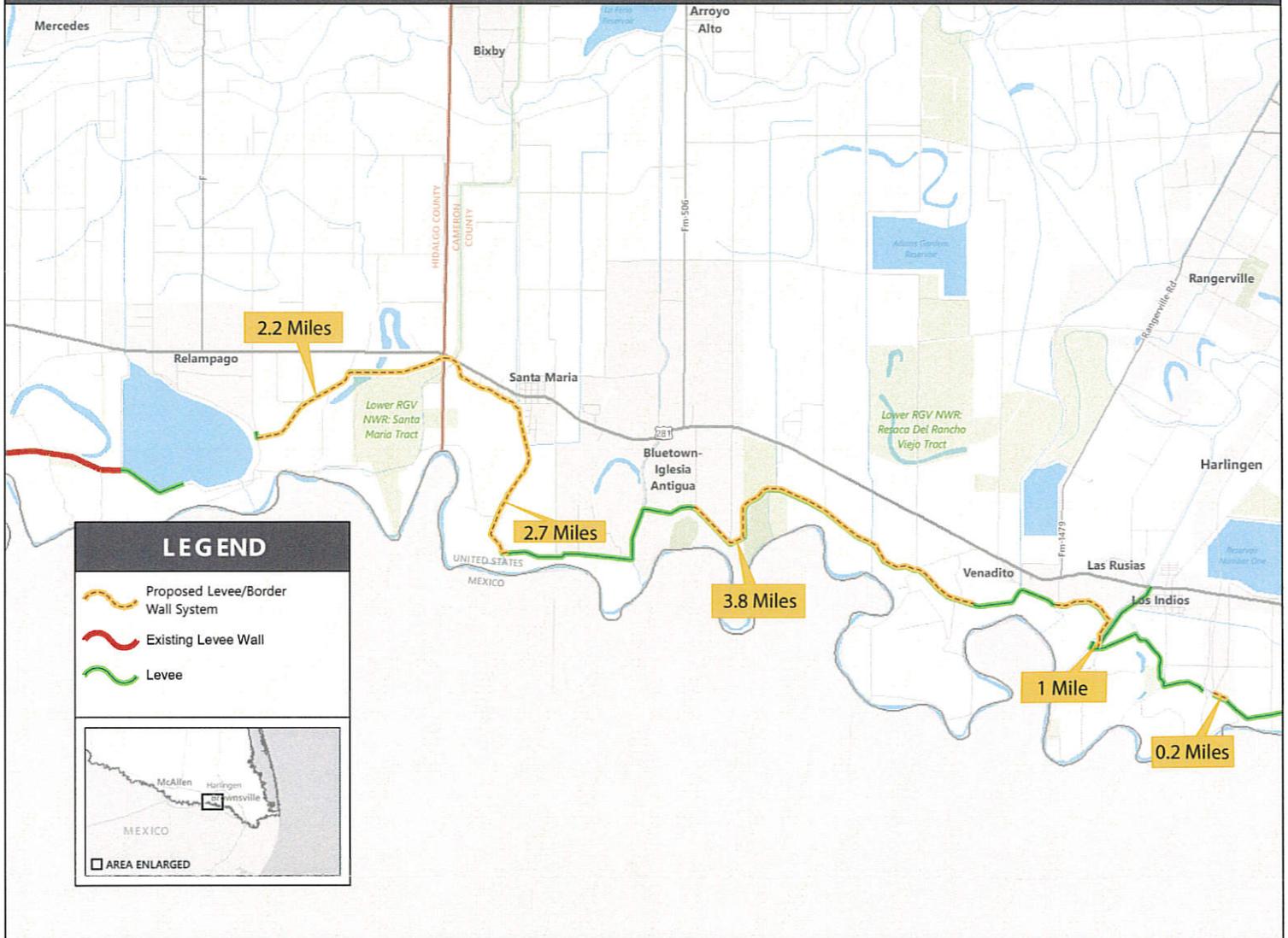
## Proposed Hidalgo County Border Infrastructure Projects





# U.S. Customs and Border Protection

## Proposed Hidalgo/Cameron County Border Infrastructure Projects





Lower Rio Grande Valley National Wildlife Refuge  
 Bryan Winton, Refuge Manager  
 August 27, 2018

**Tracts and Acreage by County Potentially Impacted by Additional Border Wall/Fence Infrastructure in 2018**

<u>Tract in Cameron County</u>	<u>Acreage</u>	<u>Fragmented by Barrier</u>
Boca Chica & Brazos Island	11,976.86	Y
Boscaje de La Palma	365.0	Y (2007)
Brownsville	17.4	Y (north of fence)
Caja Pinta Banco	30.46	N
Capote Banco	87.83	N
Champion Bend	82.08	N
Culebron Banco	86.0	Y (2007)
Garza-Cavazos	299.53	Y
Jeronimo Banco	288.04	Y (2007)
La Gloria	268.9	Y
Las Palomas Banco	65.0	N
Las Sierritas Banco	12.55	N
Otha Holland Wildlife Corridor	1288.0	Y
Palmito Hill	135.11	N
Palo Blanco	30.02	N
Phillips Banco	338.35	Y (2007)
Ranchito	3848.85	Y
Ranchito South	28.31	N
Southmost	335.43	N
Tahuachal Banco	175.16	Y
Tulosa Ranch	1787.35	Y
Vaqueteria Banco	50.22	N
Vaqueteria Banco East	35.68	N
Vista Del Mar	1538.68	Y
<u>Total Tracts</u>	<u>Total Acreage</u>	<u>Total Tract Fragmented</u>
25	23,170.81	13

<u>Tract in Hidalgo County</u>	<u>Acreage</u>	<u>Fragmented by Barrier</u>
Abrams	107.2	N (2007)
Abrams West	255.15	N (2007)
Caballero Banco	237.8	N (2007)
Cottam	1036.32	N
Cuevitas	230.87	N
El Morillo Banco	651.49	Y
Gabrielson	702.56	N
Havana South	113.82	Y
Hidalgo Bend	471.14	N (2007)
La Joya	1051.59	Y
La Parida Banco	444.10	Y
La Pesquera	1.73	N
Granjeno	2.62	N (north side)
Kiskadee WMA (TPWD)	14.0	Y (2007)
Los Ebanos	832.0	Y
Madero	293.78	N
Marinoff	430.93	Y
Milagro	207.76	N
Pharr Settling Basin	492.11	Y
Sam Fordyce South	822.86	Y
Santa Maria	556.5 (+Smoke Joes)	N
Kelly WMA (TPWD)	46.0	N
Penitas WMA (TPWD)	119.0	N
Penitas	14.3	N
Tortuga Banco	16.61	N
Vela Woods	224.48	N
Zamora Bend	449.4	N
<u>Total Tracts</u>	<u>Total Acreage</u>	<u>Total Tracts Fragmented</u>
27	9,826.12	9

<u>Tracts in Starr County</u>	<u>Acreage</u>	<u>Fragmented by Barrier</u>
Arroyo Los Negros Creek	111.51	Y (TBD)
Arroyo Morteros	90.0	Y
Arroyo Ramirez	668.37	Y (TBD)
La Grulla – Castillo	6.13	N
Chicharra Banco	488.74	Y
Cuevitas	230.87	Y
La Grulla – Farias	2.58	N
Fronton	29.57	N
Garceno	30.61	N
La Grulla – Guerra	191.11	N
La Grulla – Guerra North	43.34	N
La Casita East	1070.68	N
La Casita West	494.62	N
Prieta Bend WMA (TPWD)	164.0	N
La Grulla WMA (TPWD)	136.0	N
Las Ruinas	254.42	Y
La Grulla – Los Arbolitos	7.61	N
Los Velas	582.55	Y
Los Velas West	117.0	N
La Grulla – Retama	14.73	N
Rio San Juan	118.39	N
San Francisco Banco	1681.84	N
Valadeces Banco	306.06	N
La Grulla – Villareales Banco	22.07	N
La Grulla – Zambrano	203.51	N
La Grulla – Zarate	6.48	N
<u>Total Tracts</u>	<u>Total Acreage</u>	<u>Total Tracts Fragmented</u>
26	7,072.72	7



# United States Department of the Interior

FISH AND WILDLIFE SERVICE



Post Office Box 1306  
Albuquerque, New Mexico 87103

In Reply Refer To:  
FWS/R2/NWRS-RC/068463

**AUG 20 2018**

Mr. Paul Enriquez  
Real Estate and Environmental Branch Chief  
U.S. Customs and Border Protection  
Washington, DC 20229

Dear Mr. Enriquez:

Thank you for your letter received by my office on July 5, 2018, requesting our input on the proposal to construct new border barriers in the U.S Border Patrol Rio Grande Valley Sector. The U.S. Fish and Wildlife Service (FWS) intends to continue working closely with the U.S. Customs and Border Protection (CBP) and appreciates the excellent communication and information-sharing we have maintained over the past six years. We are providing a preliminary review based upon the information CBP provided. The FWS may revise its comments/opinions as we receive more details regarding this proposed construction.

The proposed barrier project would consist of two types of construction, including 25 miles of levee wall/fencing in Hidalgo County and eight miles of bollard type fencing in portions of Starr County, Texas. We also understand 3.43 miles of combined barriers would be constructed on the Lower Rio Grande Valley National Wildlife Refuge (LRGV NWR) in Hidalgo and Starr counties. The FWS is committed to maintaining close coordination with CBP on this proposed project with the goal of minimizing any environmental effects to: LRGV NWR; threatened and endangered species; outdoor recreation such as hunting, fishing and wildlife observation, and; the ecotourism-based economy those resources and activities support.

After reviewing this proposal for potential effects on Federally-listed species and other Federal trust resources, as well as impacts to the LRGV NWR, we provide the enclosed comments for your consideration. We appreciate the opportunity to provide pre-planning information regarding this proposed Lower Rio Grande Valley border infrastructure project. We also support CBP addressing all existing and proposed border enforcement activities' direct and indirect impacts on natural resources.

Please contact me at 505-248-6282, or Aaron Archibeque, Regional Chief, National Wildlife Refuge System, at 505-248-6937, if you have questions or need further assistance.

Sincerely,

Regional Director

Mr. Paul Enriquez

2

cc: Refuge Supervisor, Texas Gulf Coast, San Marcos, TX  
Project Leader, South Texas Refuges Complex  
Refuge Manager, Lower Rio Grande Valley NWR  
Assistant Field Supervisor, U.S. Fish and Wildlife Service, Corpus Christi, TX

## **Comments on Proposed Border Barrier Construction in the U.S. Border Patrol Rio Grande Valley Sector**

### Project Design

The project design includes a reinforced concrete levee wall to the approximate height of existing fencing, with 18-foot tall steel bollards installed on top of the levee wall. The project will also include a 150-foot wide “enforcement zone” or cleared area adjacent to the south levee. Detection and surveillance technology would be incorporated into the levee wall, including automated vehicle gates, pedestrian gates, an all-weather patrol road that would run parallel to the levee wall, and enforcement zone lighting. The design of the eight miles of barrier fencing in Starr County would consist of a series of 20-30-foot-tall steel bollards.

### Specific Comments

One of the primary purposes of the LRGV NWR is to establish a corridor for wildlife along the Rio Grande. CBP’s proposed project may reduce habitat connectivity in portions of the natural wildlife corridor that exists along the Rio Grande. CBP’s project will likely adversely affect wildlife, including, but not limited to, federally-listed species such as the ocelot and jaguarondi, movement north and south of the proposed border barriers. Adverse effects to wildlife in the action area include inhibiting access to traditional water sources, ability to move about in response to prey, intra- or inter-specific competition, floods, finding mates, or simply colonizing additional habitat which ultimately can result in a reduction of long term population trends. At the time of establishment, habitats along the Rio Grande were not expected to be developed because they are located in the floodplain of the river, which regularly floods. However, as a result of development, numerous ports of entry, CBP operations, and border wall/fence infrastructure, the concept of a functioning wildlife corridor along the Rio Grande River is becoming less likely. In fact, without a functioning wildlife corridor the fragmented nature of remaining habitats along the Rio Grande may act as sinks or traps for such species as ocelots. This is particularly a concern for sections of levee wall in Hidalgo County where walls channel flood flows, which could trap ocelots and other wildlife with no exit or retreat.

The U.S. Fish and Wildlife Service (Service) has long advocated for contiguous forested areas along the Rio Grande corridor to support the conservation and management of wildlife, endangered ocelots, jaguarundis, and migratory birds. The planned border barrier construction will negatively impact approximately 30 percent of the Service’s investment of public funds in land acquisition and stewardship for LRGV NWR. This acreage will become essentially unavailable for stewardship of trust resources and make the long-term goal of providing contiguous forested areas along the Rio Grande of southern Texas for wildlife, breeding birds, and ocelots and jaguarundis no longer feasible. This outcome will severely reduce the conservation values of the entire Service estate in the Lower Rio Grande Valley region.

The construction of the 150-foot enforcement zones will directly remove wildlife habitat. The enforcement zones will also create barriers and restrict wildlife movements especially for species like ocelots, which require dense brush to travel through. Until the exact scale of clearing is identified, the Service recommends calculating direct habitat loss based on a vegetation survey of

the 150-foot enforcement zone and border wall construction. The Service recommends CBP utilize a botanist(s) knowledgeable of local plant communities to conduct surveys for federally-listed endangered plant species.

Clearing of vegetation in the 150-foot enforcement zone would have habitat impacts both on and off the refuge. The cleared enforcement zone for the 25 miles of levee wall that would be in Hidalgo County would directly remove approximately 40 acres of habitat on LRGV NWR and 435 acres off-refuge. In addition, the cleared enforcement zone in Starr County would directly remove 22.3 acres of habitat on LRGV NWR and 135 acres off-refuge. Furthermore, acreage within LRGV NWR north of the border barrier would no longer be linked with other corridors and result in direct loss of 1,077 acres of habitat for ocelots and other wildlife on the refuge. As a result, we have the following recommendations to mitigation these impacts.

We recommend reduction of the 150-foot enforcement zones in areas with brush and on refuge lands to the minimum distance necessary to maintain a road. We also recommend CBP abandon the 150-foot wide enforcement zone when the fence alignment is near the river bank and leave at least a 33-foot wide corridor on top of the river bank. This will provide a corridor for wildlife and will reduce erosion and therefore protect the bollard fence. We recommend CBP construct a border barrier with additional openings so ocelots, jaguarundis and other wildlife may move through the border barrier to maintain their connection across the landscape. We recommend that wildlife openings matching the width of a gate opening, be maintained in an open condition 24 hours per day with brush corridors leading to openings. We specifically recommend openings on LRGV NWR Chicharro Banco in Starr County, La Parida Banco, and Madero Tract in Hidalgo County, and on Bentsen Rio Grande Valley State Park in Hidalgo County. Also in Starr County, the current proposed alignment appears to begin halfway through the Los Negros Creek unit of LRGV NWR. This alignment would pass through a million-year-old oyster bed geological feature and through designated critical habitat for the Zapata bladderpod. This area also regularly floods and has very unstable soils. We recommend beginning the alignment to the east of the Los Negros Creek tract.

A massive flooding event occurred in the Lower Rio Grande Valley in July 2010, along with a release of floodwaters from Falcon Dam due to hurricane-induced rain in Mexico. Floodwaters overtopped the existing Rio Grande levees both at Santa Ana NWR and LRGV NWR as well as on neighboring State and private lands. Floods reached as high as 20 feet above the river bank at Santa Ana NWR and the impounded water remained for about six months before receding. The Service is concerned the total existing and proposed levee wall (up to 60 miles) in Hidalgo County will exacerbate such catastrophic events in the future and leave terrestrial wildlife trapped behind levee walls/fencing. This project is therefore likely to result in loss of wildlife during floods since approximately 85 percent of refuge lands are along the Rio Grande, south of the International Boundary and Water Commission levee. We recommend that all gates be open during any significant flooding events and propose construction of elevated berms with associated pads or ramps containing 4:1 slopes around roads and gate gaps south of the levee to allow terrestrial animals to retreat from rising waters during catastrophic flooding events.

The width of all roads created or maintained by CBP should be measured and recorded using GPS coordinates and integrated into the CBP GIS database. Maintenance actions should occur without incrementally increasing the width of the road and/or the amount of disturbed area beyond the road. In addition, CBP activities, particularly dragging tires on roads to check for footprints, contribute to erosion and direct loss of wildlife, particularly reptiles, as well as the establishment of exotic grass species, salt cedar, and other invasive plant species. The proposed enforcement zone includes an improved all-weather road capable of high speed use that would pose a concern for public safety and increased wildlife mortality. Vehicle traffic and especially dragging roads will increase dust impacts on visitors, wildlife, and impacts to vegetation along the enforcement zone. Tactical infrastructure lighting also impacts nighttime wildlife activity, causing habitat to be unusable by ocelot and other nocturnal species. In this case, the Service recommends lighting be focused away from habitats, using motion sensors, and only illuminating the enforcement zone. We recommend the CBP coordinate with the Service to address localized impacts of roads, lights, and other activities.

To prevent entrapment of wildlife species during placement of vertical posts/bollards, all vertical fence posts/bollards that are hollow (i.e., those that will be filled with a reinforcing material such as concrete), should be covered to prevent wildlife from becoming trapped inside. Caps should be installed as soon as the posts or hollow bollards are erected and remain until they are filled with reinforcing material. Impacts to resident and migratory birds protected under the Migratory Bird Treaty Act may occur, if vegetation clearing activities are conducted during the general nesting season of March through August.

The Service has not made many of the areas behind the current border wall/fence available to the public for hunting and fishing due to concerns for visitor safety. Additional border wall and bollard fence construction could further limit future opportunities to open these areas to hunting and fishing and other public uses.

# Conversation Contents

**Border Wall Letter**

**Attachments:**

/4. Border Wall Letter/1.1 20190715133338.pdf

**"Diaz, Anthony" <anthony\_diaz@fws.gov>**

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**From:** "Diaz, Anthony" <anthony\_diaz@fws.gov>  
**Sent:** Mon Jul 15 2019 12:44:21 GMT-0600 (MDT)  
**To:** Ernesto Reyes <ernesto\_reyes@fws.gov>  
**Subject:** Border Wall Letter  
**Attachments:** 20190715133338.pdf

Just in case something happens to the letter in transit

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Respectfully Sent,  
Anthony Diaz  
Field Office Assistant  
US Fish and Wildlife Service  
4444 Corona Drive Suite 215  
Corpus Christi, Texas 78411-4300  
Office: 361-994-9005 ext. 26311  
Direct Line: 361-225-7311  
Cell: 281-667-6534

*"Some people spend an entire lifetime wondering if they made a difference in the world. But, the Marines don't have that problem." - President Ronald Reagan*

Semper Fidelis

1300 Pennsylvania Avenue NW  
Washington, DC 20229



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

June 27, 2019

United States Fish and Wildlife Service  
Ms. Dawn Gardiner  
6300 Ocean Drive, Unit 5837, Classroom West, Room  
Corpus Christi, TX 78412



**RE: FY19 Rio Grande Valley Levee/Border Wall System Construction Projects Request for Input**

To Ms. Dawn Gardiner:

U.S. Customs and Border Protection (CBP) is seeking your input concerning the construction of a levee/border wall system in Rio Grande Valley (RGV), Texas. CBP is accepting comments until Monday, August 26, 2019.

CBP proposes to design and construct approximately 95 miles of new border and levee wall system in Starr, Hidalgo, and Cameron counties, including the design and construction of (1) approximately 52 miles of border wall system in Starr County, Texas; (2) approximately 24 miles of levee wall system in Hidalgo County, Texas; and (3) approximately 19 miles of levee/border wall system in Cameron County, Texas.

CBP is seeking input on potential impacts to the environment, culture, quality of life and commerce, including potential socioeconomic impacts. CBP will be conducting environmental site surveys and assessments and is also gathering data and input from state and local government agencies, federal agencies, Native American tribes, and landowners that may be affected by or otherwise have an interest in the construction projects. As the projects progress, there will be additional opportunities for public comment. CBP will prepare environmental planning documents to evaluate potential environmental impacts and make those documents available to the public.

**How to Provide Comments**

Comments and information will be accepted until Monday, August 26, 2019. Comments should include data or information that could help inform CBP's analysis of potential impacts. Helpful comments are fact-based, include links to data or research, and provide specific information concerning potential impacts to biological, cultural, and natural resources. If known, your response should include any state and local restrictions, permitting or other requirements that CBP should consider during project siting, construction, and operation.

Specifically, CBP is looking for answers to the following questions:

- Are you aware of threatened or endangered plant or animal species within the areas of proposed construction? If so, where?

Ms. Dawn Gardiner

Page 2

- Are you aware of recreational activities that take place in the area of proposed construction?
- Are you aware of possible impacts to businesses by the proposed project? Where are those businesses located?
- Are you aware of historical sites or areas of cultural significance located within the area of proposed construction? If so, where?
- Do you foresee your day-to-day activities being impacted by the proposed project?
- Are you aware of any studies, data or other information available that would aid in the analysis of potential environmental impacts in the proposed project area?
- Do you have any recommendations for practices the construction contractor should follow to avoid or minimize impacts?

Comments can be submitted online at [www.regulations.gov](http://www.regulations.gov) by searching docket number "USCBP-2019-0018." Questions can also be emailed to CBP at [commentsenv@cbp.dhs.gov](mailto:commentsenv@cbp.dhs.gov). Please include "FY19 RGV Border Construction Projects" in the subject of your email. Comments received in response to this letter, including names and addresses of those who comment, will be part of the public record. If you are providing a comment about a specific area, please specify that in your comment.

More information about the projects located in your area are included in an attachment to this letter. Additional information about other projects in RGV, including maps and Spanish-language materials, are available at the following web site:

[www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review](http://www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review)

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

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

We appreciate your feedback and help with evaluating the environmental impacts of these projects.

Sincerely,



Paul Enriquez  
Acquisition, Real Estate and Environmental Director  
Border Wall Program Management Office, U.S. Border Patrol

Enclosure: Fiscal Year 2019 Rio Grande Valley Levee/Border Wall System Construction Projects Overview



### Proposed Hidalgo County Border Infrastructure Projects



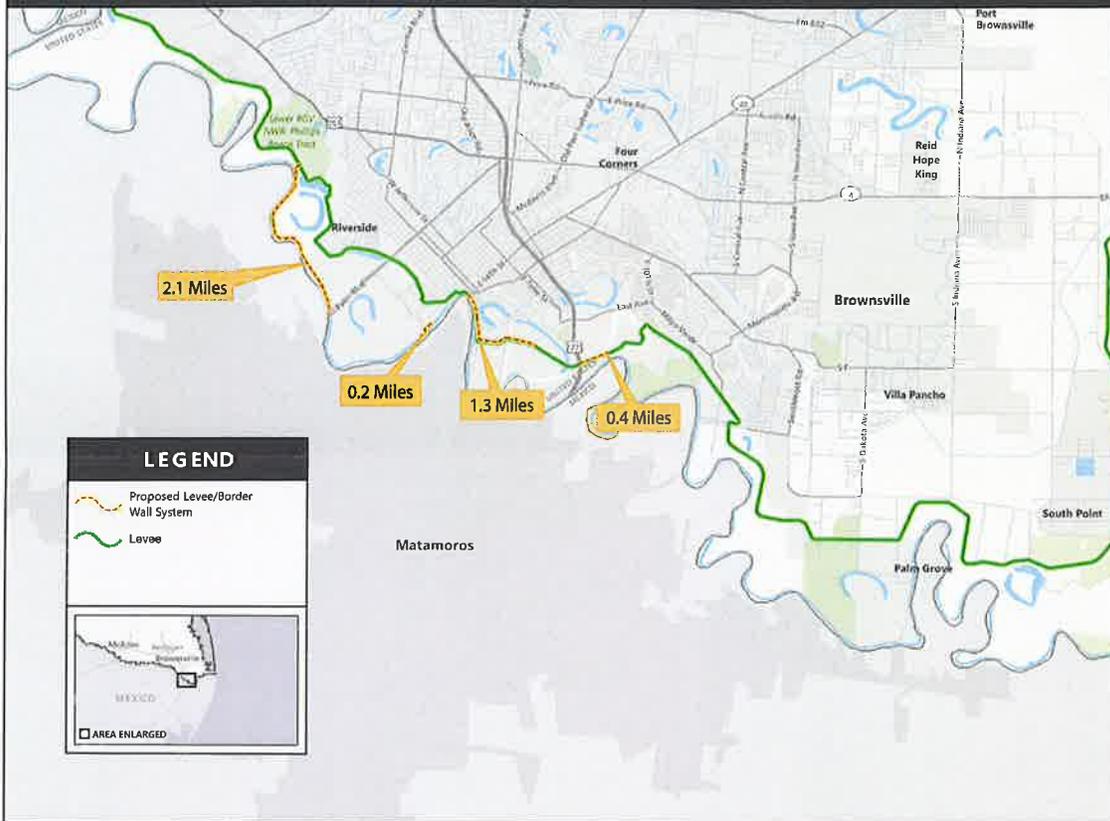
### Cameron County Consultation Areas

### Proposed Hidalgo/Cameron County Border Infrastructure Projects

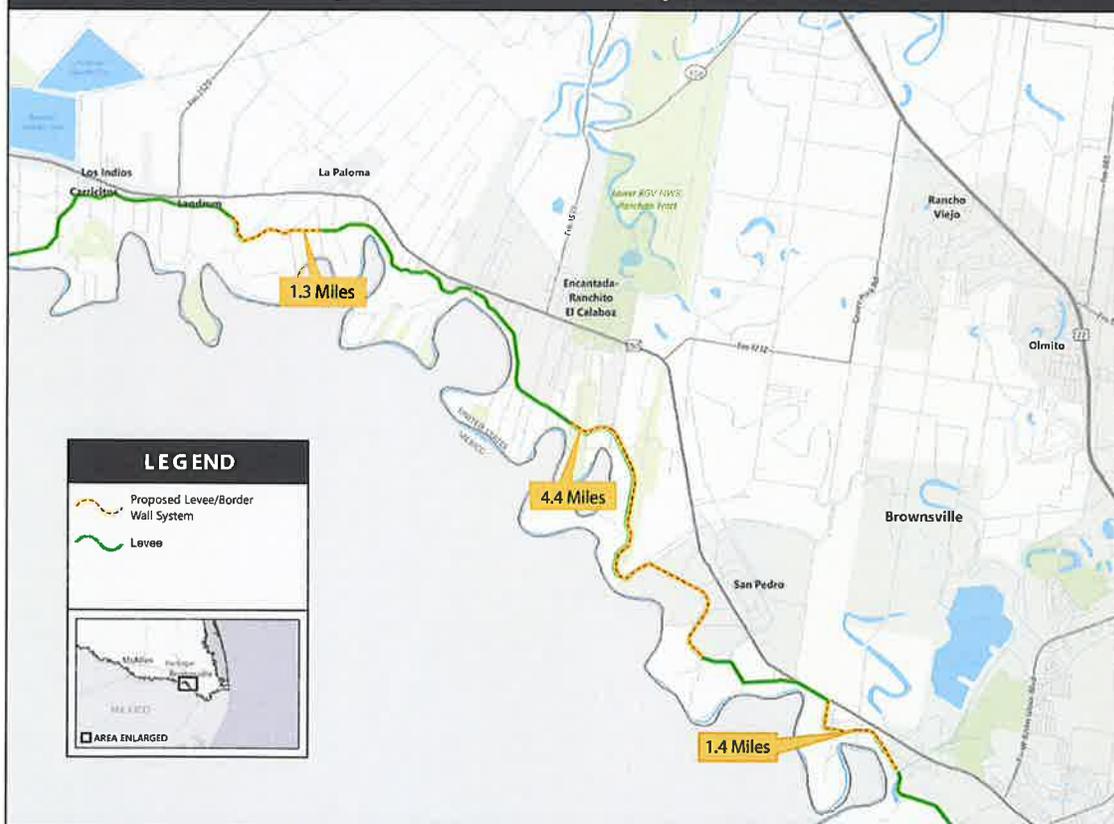




### Proposed Cameron County Border Infrastructure Projects

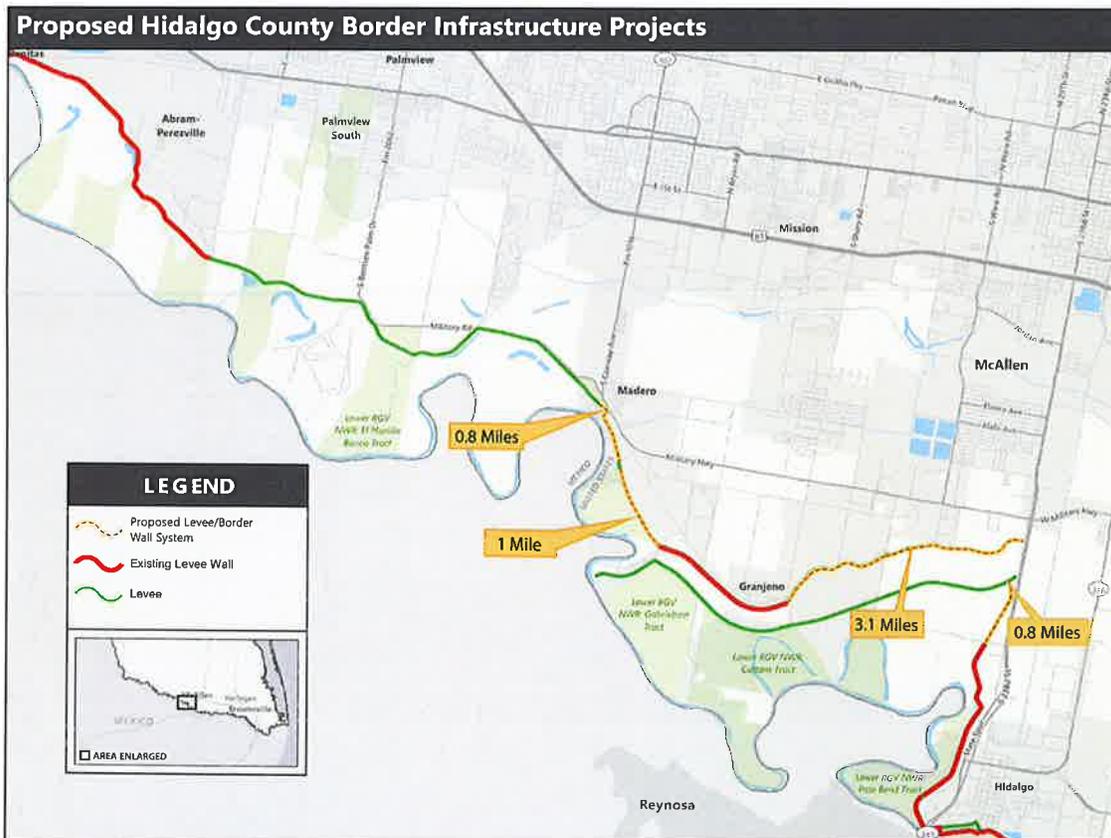
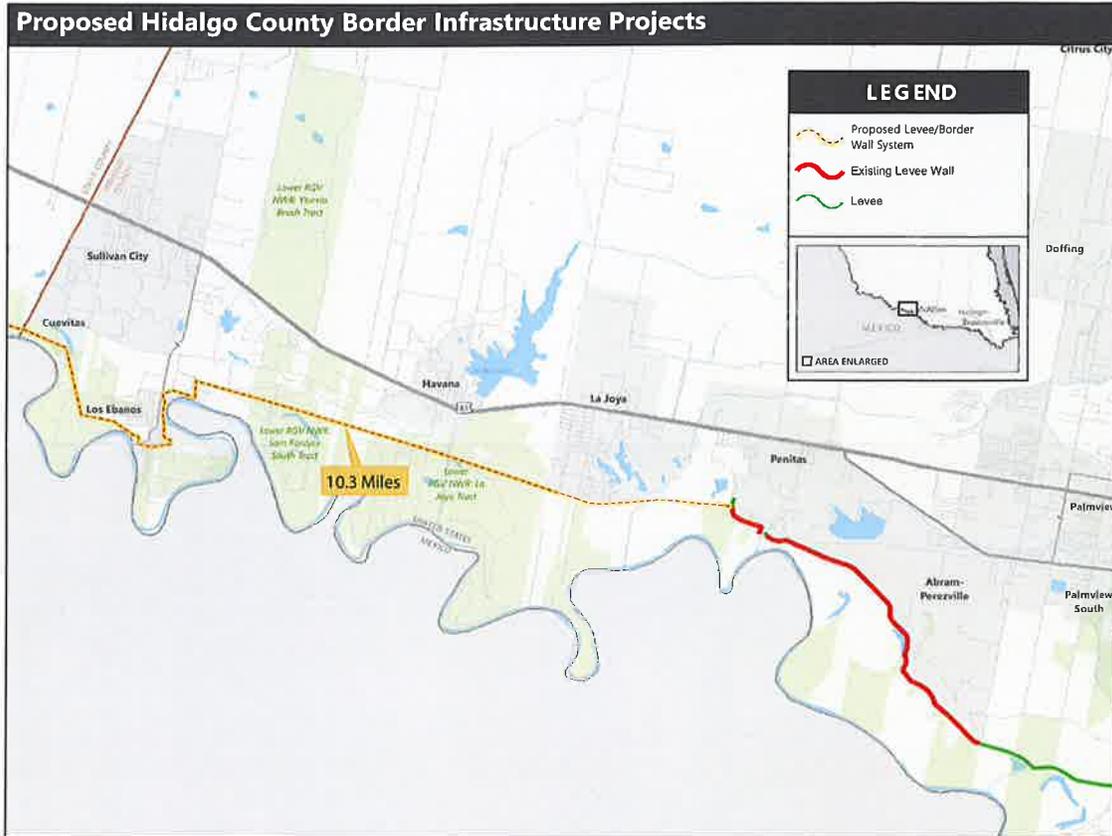


### Proposed Cameron County Border Infrastructure Projects



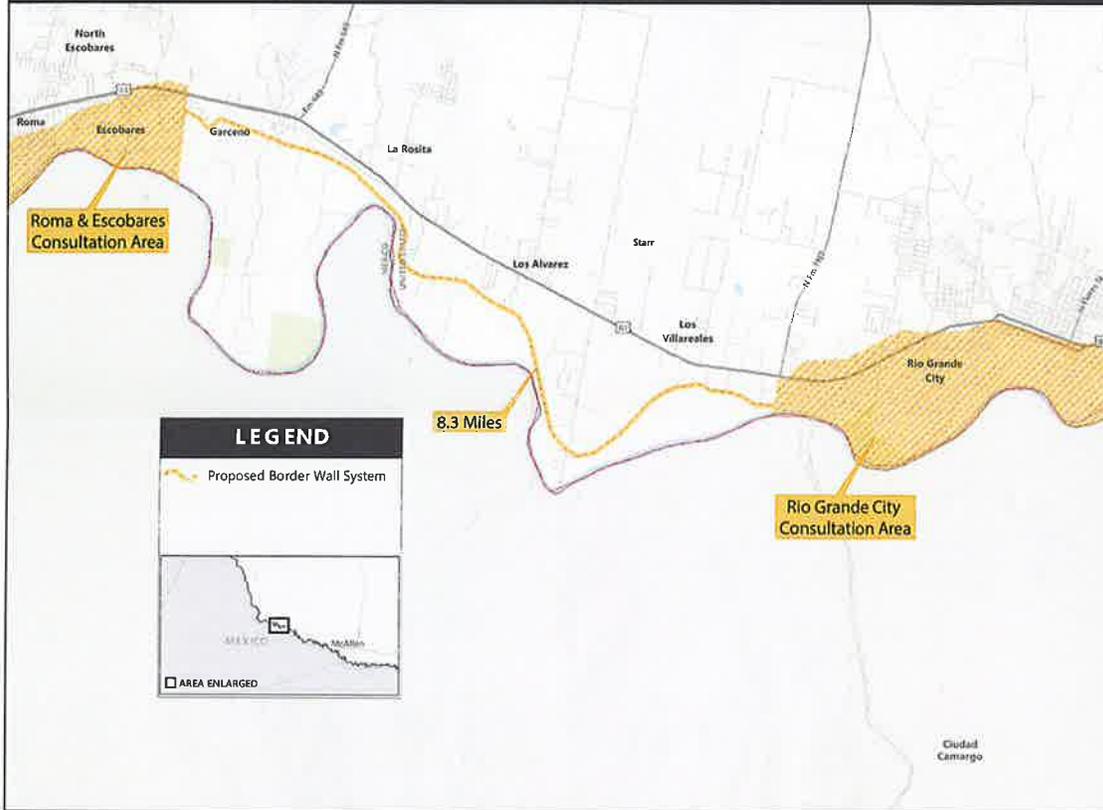


## Hidalgo County Consultation Areas

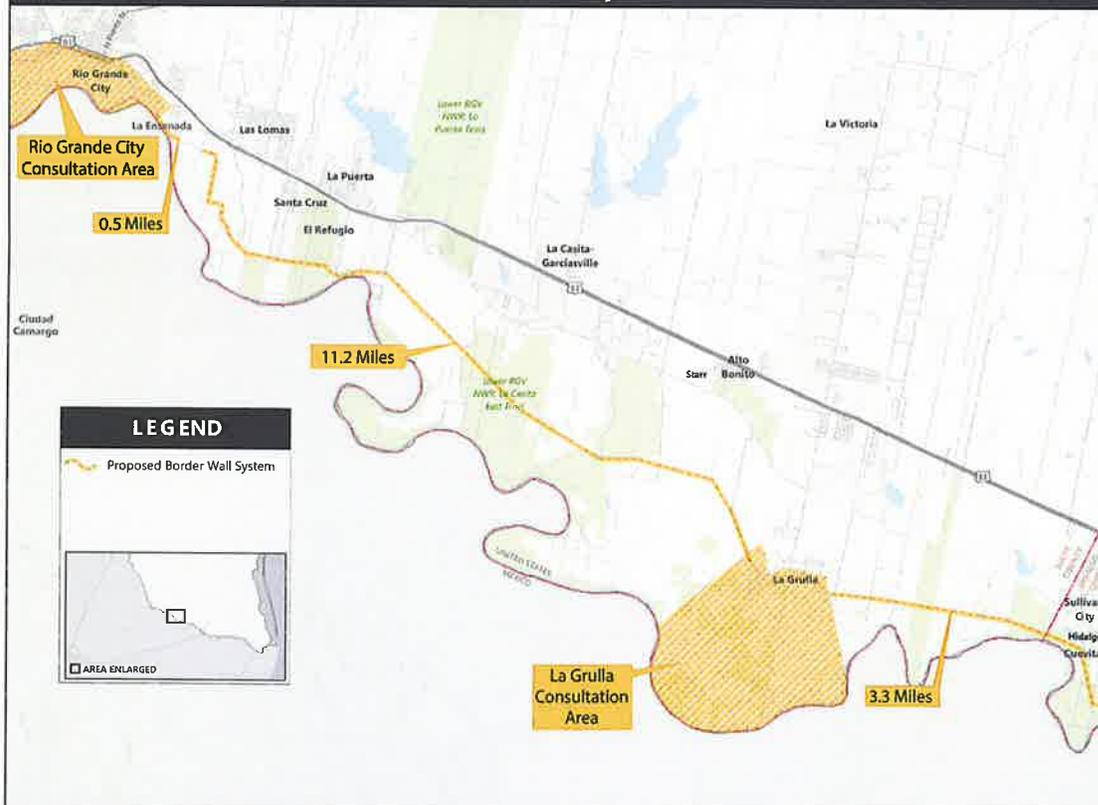




### Proposed Starr County Border Infrastructure Projects



### Proposed Starr County Border Infrastructure Projects





## Fiscal Year 2019 Rio Grande Valley (RGV) Levee/Border Wall System Construction Projects Overview

### Proposed Border Barriers for Hidalgo, Starr, and Cameron Counties

The construction projects proposed for Fiscal Year 2019 are similar to other levee and border wall systems located within the Rio Grande Valley. Totalling approximately 95 miles, the mileage by county is divided as follows:



Enclosed you will find maps showing the proposed locations for the levee and border wall system. The maps are also available online at:

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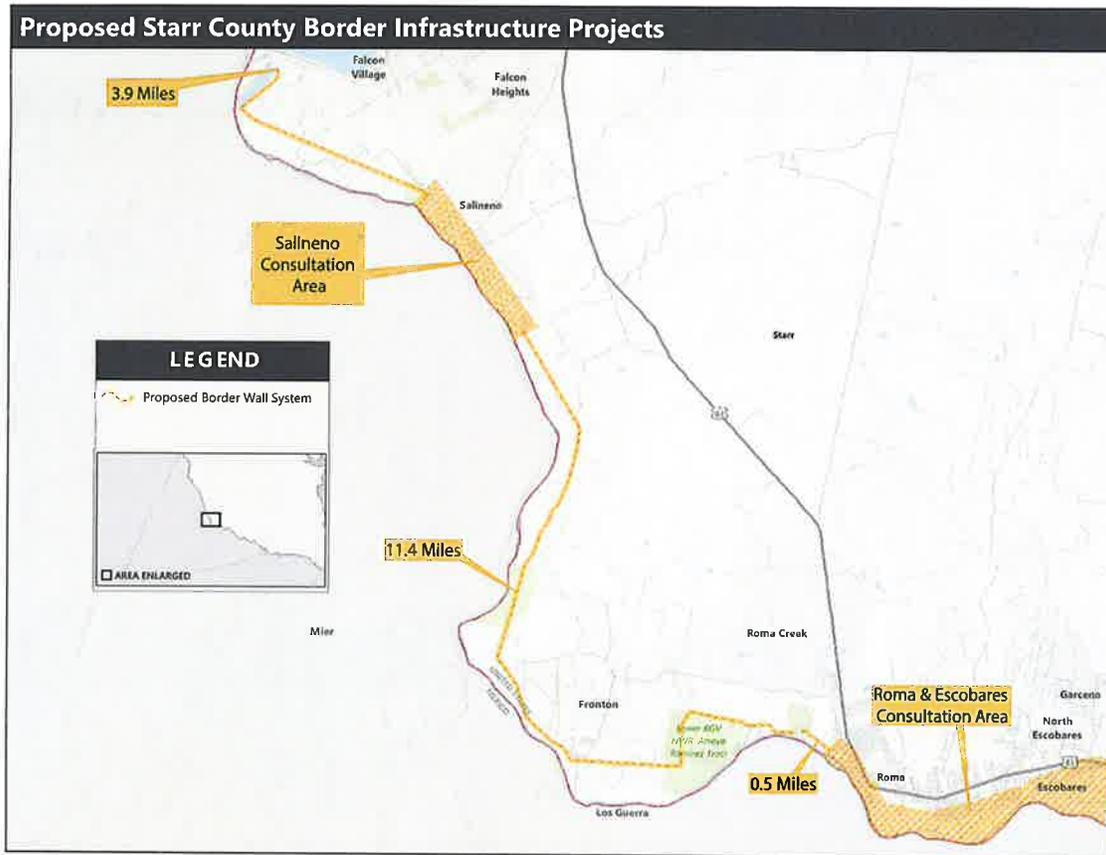
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## Starr County Consultation Areas

The U.S. Customs and Border Protection is meeting with elected officials to identify the location and design of the border barrier in Salineno, Roma, Escobares, Rio Grande City, and La Grulla. Those cities are marked as “consultation areas” in the following maps, CBP anticipates proposing approximately 14 miles of border barrier within these areas. Feedback from elected officials and the general public will be considered along with requirements of the U.S. Border Patrol to identify the location of the border barrier.



## Conversation Contents

### Border Wall Maps for LRGV

#### Attachments:

- /5. Border Wall Maps for LRGV/1.1 Fiscal Year 2019 Rio Grande Valley Border Barrier Projects Request for Input (1).pdf
- /5. Border Wall Maps for LRGV/1.2 RGV Border Wall Maps 6.27.19.pdf

### "Winton, Bryan" <bryan\_winton@fws.gov>

---

**From:** "Winton, Bryan" <bryan\_winton@fws.gov>  
**Sent:** Mon Jul 08 2019 06:38:09 GMT-0600 (MDT)  
**To:** Rob Jess <robert\_jess@fws.gov>, Sonny Perez <sonny\_perez@fws.gov>, Chris Perez <chris\_perez@fws.gov>, Scot Edler <scot\_edler@fws.gov>, Ernesto Reyes <ernesto\_reyes@fws.gov>  
**Subject:** Border Wall Maps for LRGV  
**Attachments:** Fiscal Year 2019 Rio Grande Valley Border Barrier Projects Request for Input (1).pdf RGV Border Wall Maps 6.27.19.pdf

Kelly called on Friday morning requesting we superimpose the border wall proposals over the affected LRGV NWR tracts. I had some of this information prepared previously but we only recently learned of western Hidalgo Co. proposed alignments and others in Cameron County--based on the public notices (attached). Some maps will need to be amended and others created. He wants this information by this Friday in anticipation of an upcoming meeting with Brent Range and Paul Enriquez.

So in addition to preparing AR's for expenditure of remaining balances of DM-Fence and the authorized Rec Fee amount, I'll be working on this.

bryan

--

Bryan R. Winton, Wildlife Refuge Manager  
Lower Rio Grande Valley National Wildlife Refuge  
3325 Green Jay Road, Alamo, Texas 78516  
(956) 784-7521 office; (956) 874-4304 cell  
[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)

### "Perez, Chris" <chris\_perez@fws.gov>

---

**From:** "Perez, Chris" <chris\_perez@fws.gov>  
**Sent:** Mon Jul 08 2019 07:56:16 GMT-0600 (MDT)  
**To:** "Winton, Bryan" <bryan\_winton@fws.gov>

**CC:** Rob Jess <[robert\\_jess@fws.gov](mailto:robert_jess@fws.gov)>, Sonny Perez <[sonny\\_perez@fws.gov](mailto:sonny_perez@fws.gov)>, Scot Edler <[scot\\_edler@fws.gov](mailto:scot_edler@fws.gov)>, Ernesto Reyes <[ernesto\\_reyes@fws.gov](mailto:ernesto_reyes@fws.gov)>, Kelly McDowell <[kelly\\_mcdowell@fws.gov](mailto:kelly_mcdowell@fws.gov)>

**Subject:** Re: Border Wall Maps for LRGV

Well, then I would need their shapefiles or Google Earth kmzs if you're asking me to work on that. Alternatively, I'm surprised with our level of cooperation with CBP and the fact that we've shared our shapefiles with them numerous times; that they could not provide that for us on request...I think that's something they should be able to provide us much easier than us asking them for their border wall shapefiles which frankly, they probably would be reluctant to provide. Either way. Let me know what you guys want to do.

On Mon, Jul 8, 2019 at 7:38 AM Winton, Bryan <[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)> wrote:

Kelly called on Friday morning requesting we superimpose the border wall proposals over the affected LRGV NWR tracts. I had some of this information prepared previously but we only recently learned of western Hidalgo Co. proposed alignments and others in Cameron County-- based on the public notices (attached). Some maps will need to be amended and others created. He wants this information by this Friday in anticipation of an upcoming meeting with Brent Range and Paul Enriquez.

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[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)

--

Chris Perez, Wildlife Biologist  
Lower Rio Grande Valley NWR  
3325 Green Jay Rd.  
Alamo, TX 78516  
Phone: 956-784-7553  
Fax: 956-787-8338

June 27, 2019



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

**RE: FY19 Rio Grande Valley Levee/Border Wall System Construction Projects Request for Input**

To Whom it May Concern:

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Paul Enriquez  
Acquisition, Real Estate and Environmental Director  
Border Wall Program Management Office, U.S. Border Patrol

Enclosure: Fiscal Year 2019 Rio Grande Valley Levee/Border Wall System Construction Projects Overview



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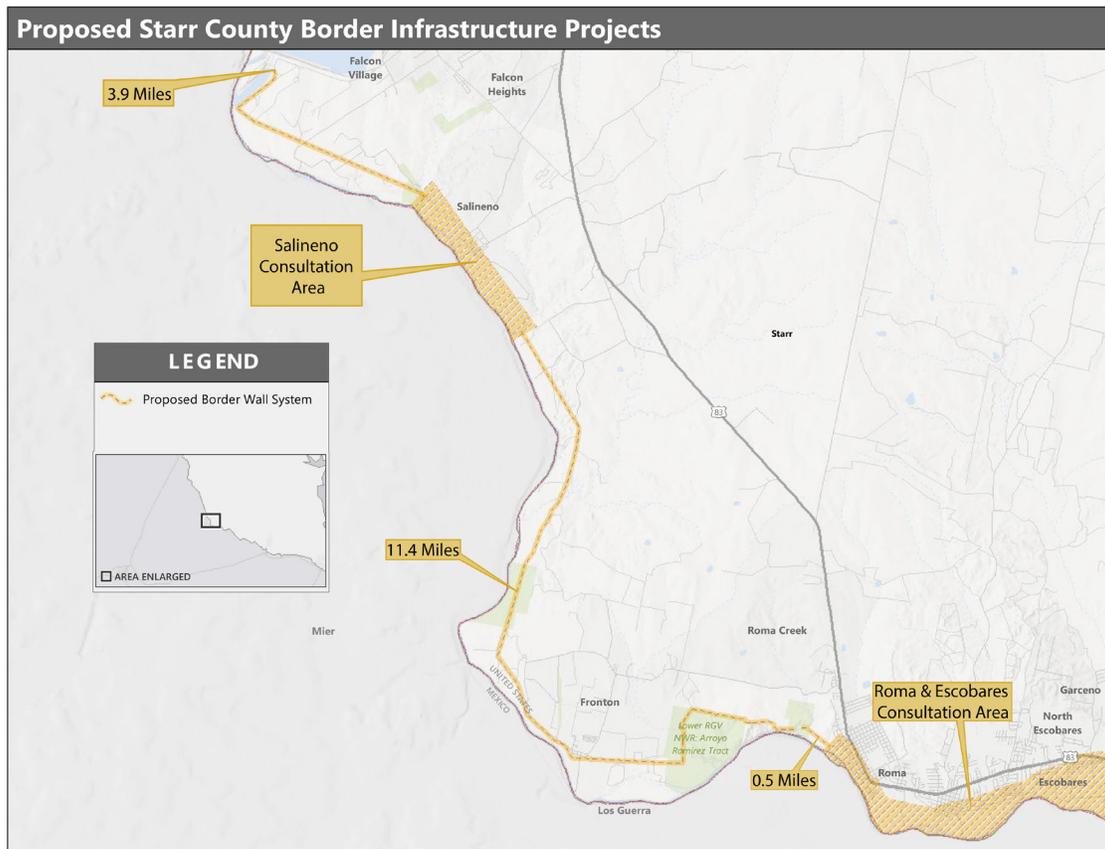
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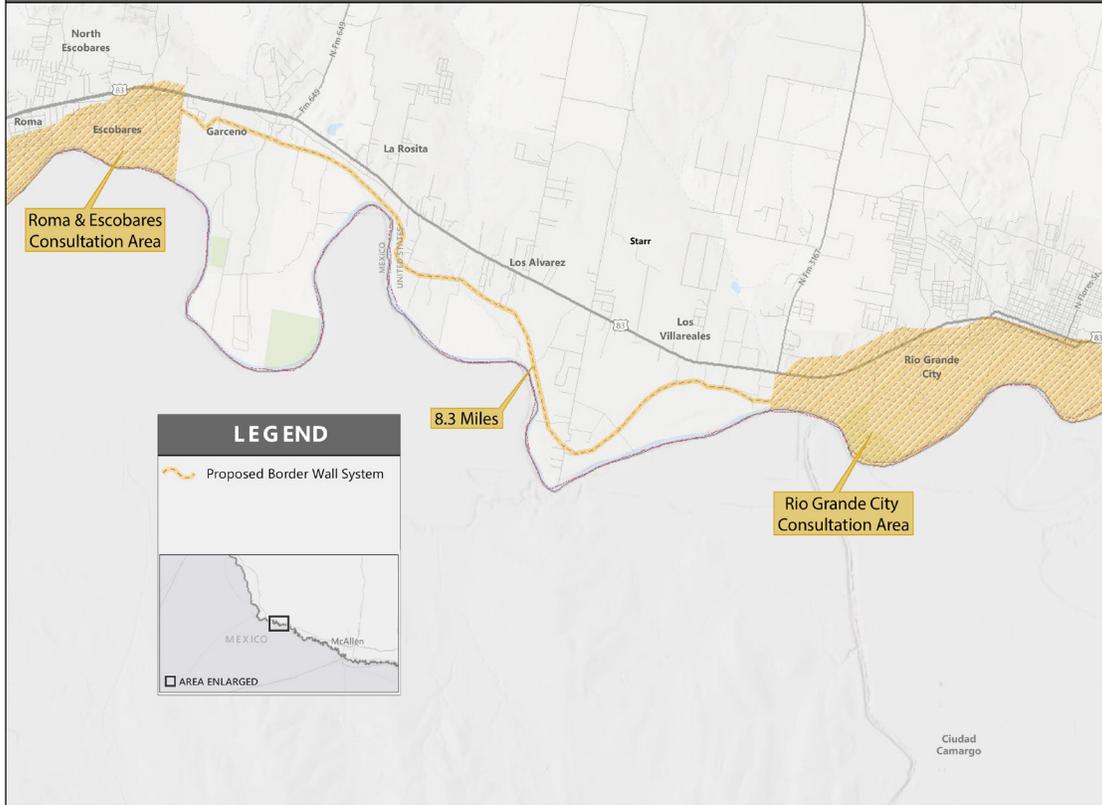
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### Proposed Starr County Border Infrastructure Projects

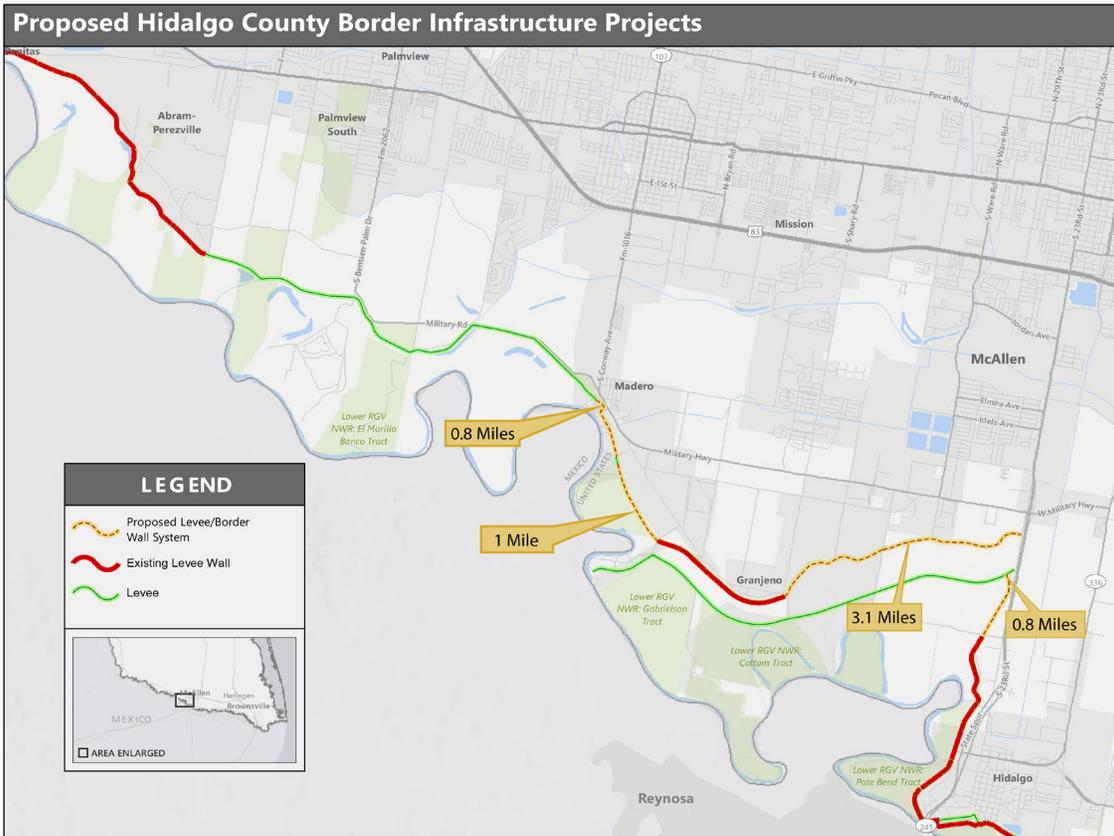
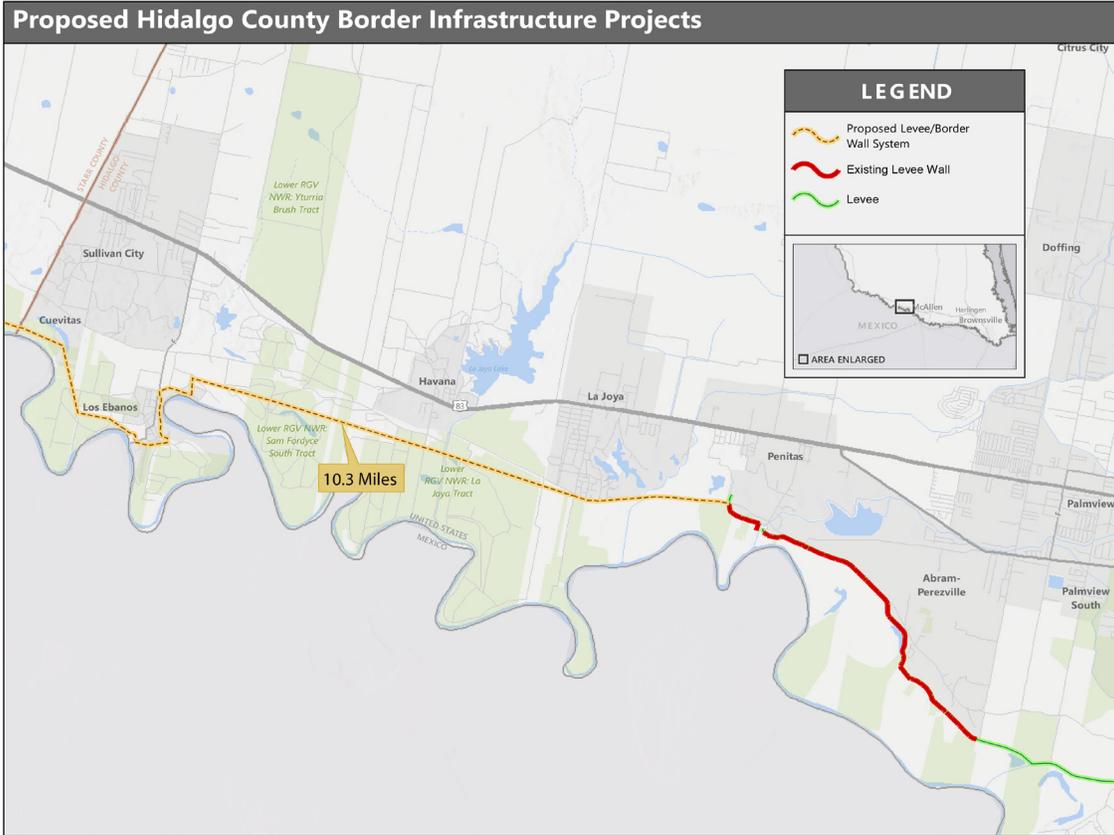


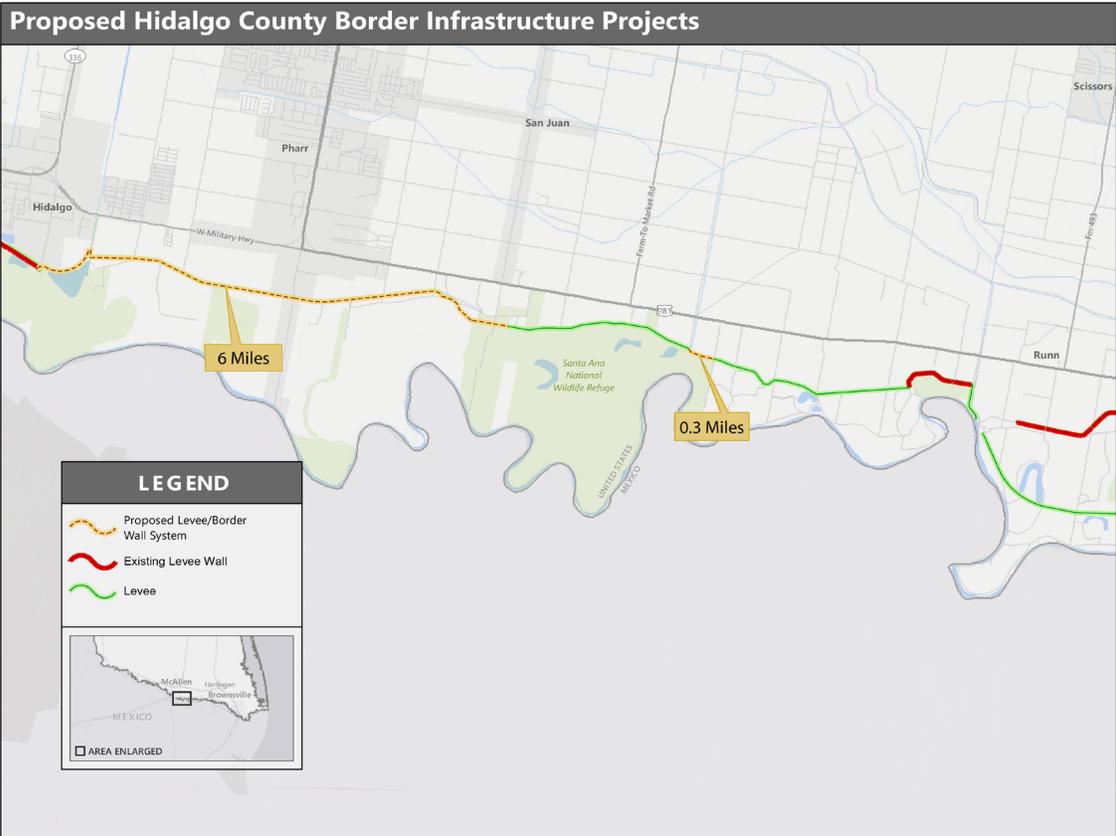
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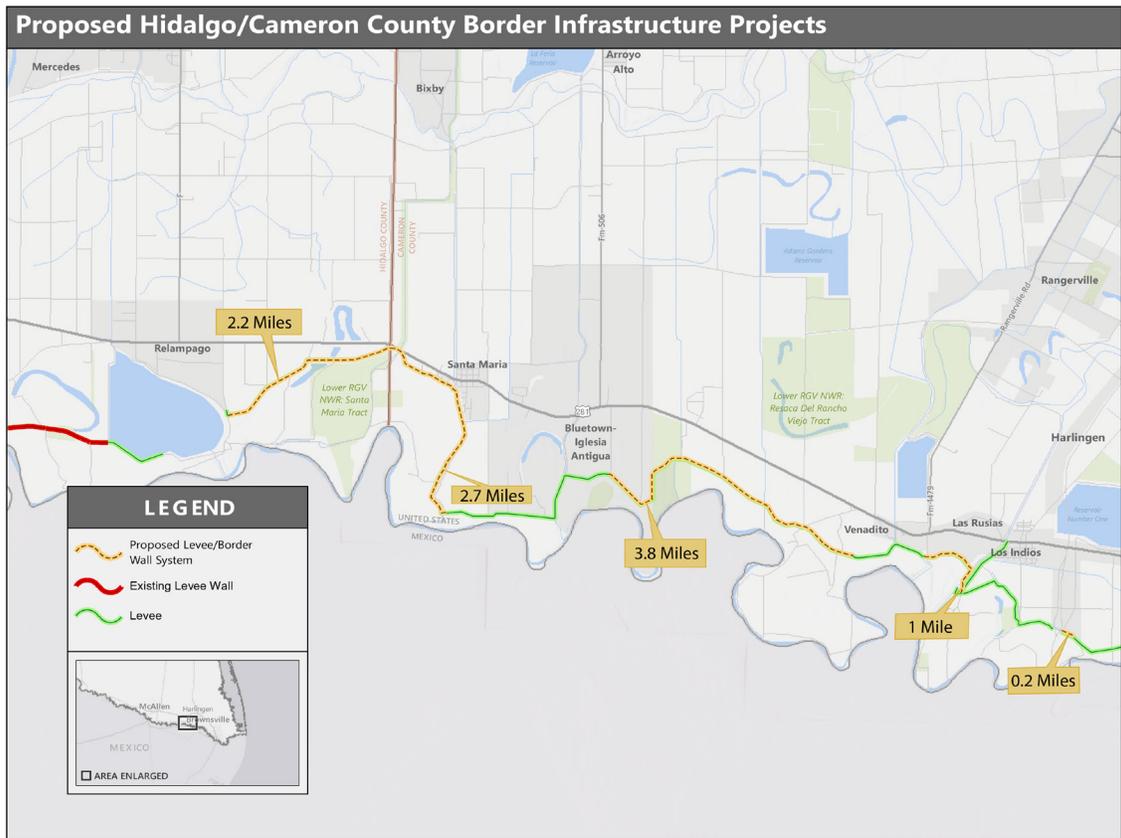


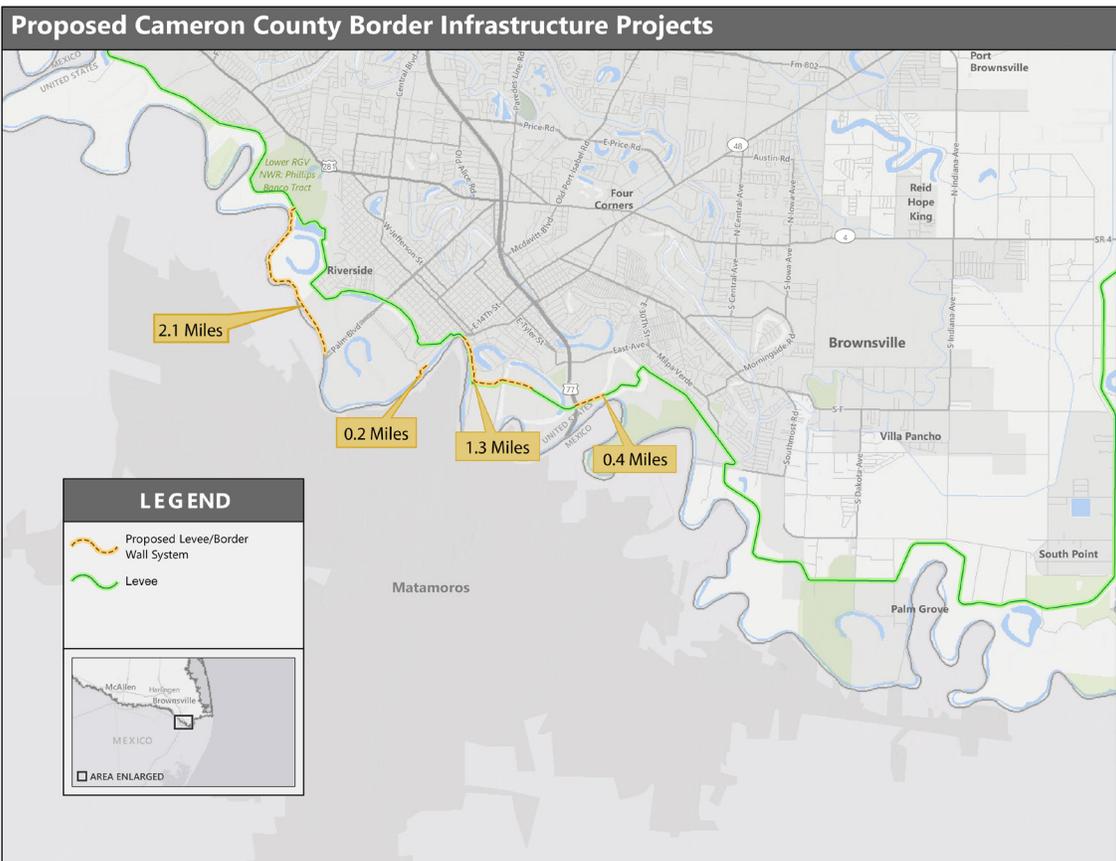
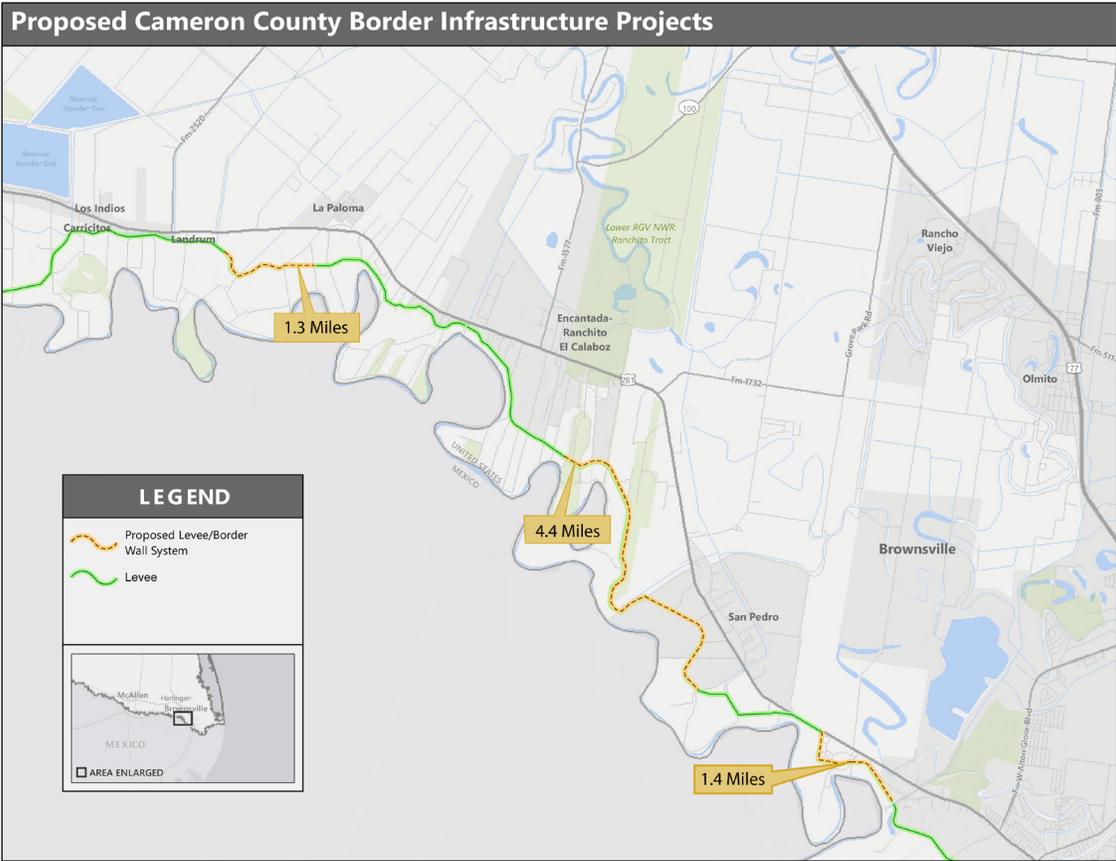
# Hidalgo County Consultation Areas





## Cameron County Consultation Areas







## Fiscal Year 2019 Rio Grande Valley (RGV) Levee/Border Wall System Construction Projects Overview

### Proposed Border Barriers for Hidalgo County

The construction projects proposed for Fiscal Year 2019 are similar to other levee and border wall systems located within the Rio Grande Valley. The proposed projects include approximately 24 miles of levee wall system in Hidalgo County.

### Hidalgo County

APPROXIMATELY

24  
MILES

Enclosed you will find maps showing the proposed locations for the levee wall system in **Hidalgo County**. Maps for Starr and Cameron counties are available online at: [www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review](http://www.cbp.gov/about/environmental-cultural-stewardship/nepa-documents/docs-review)

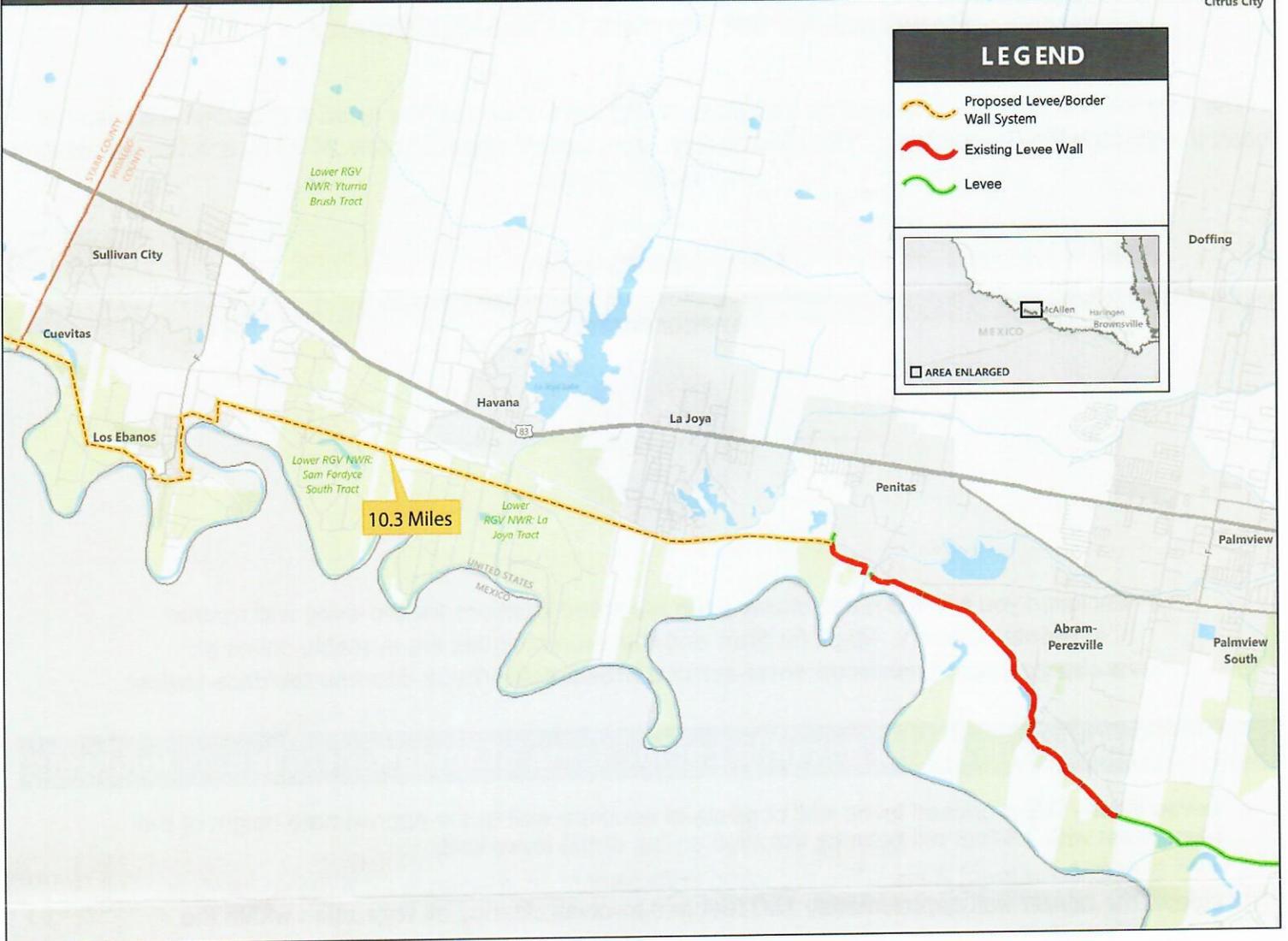
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# U.S. Customs and Border Protection

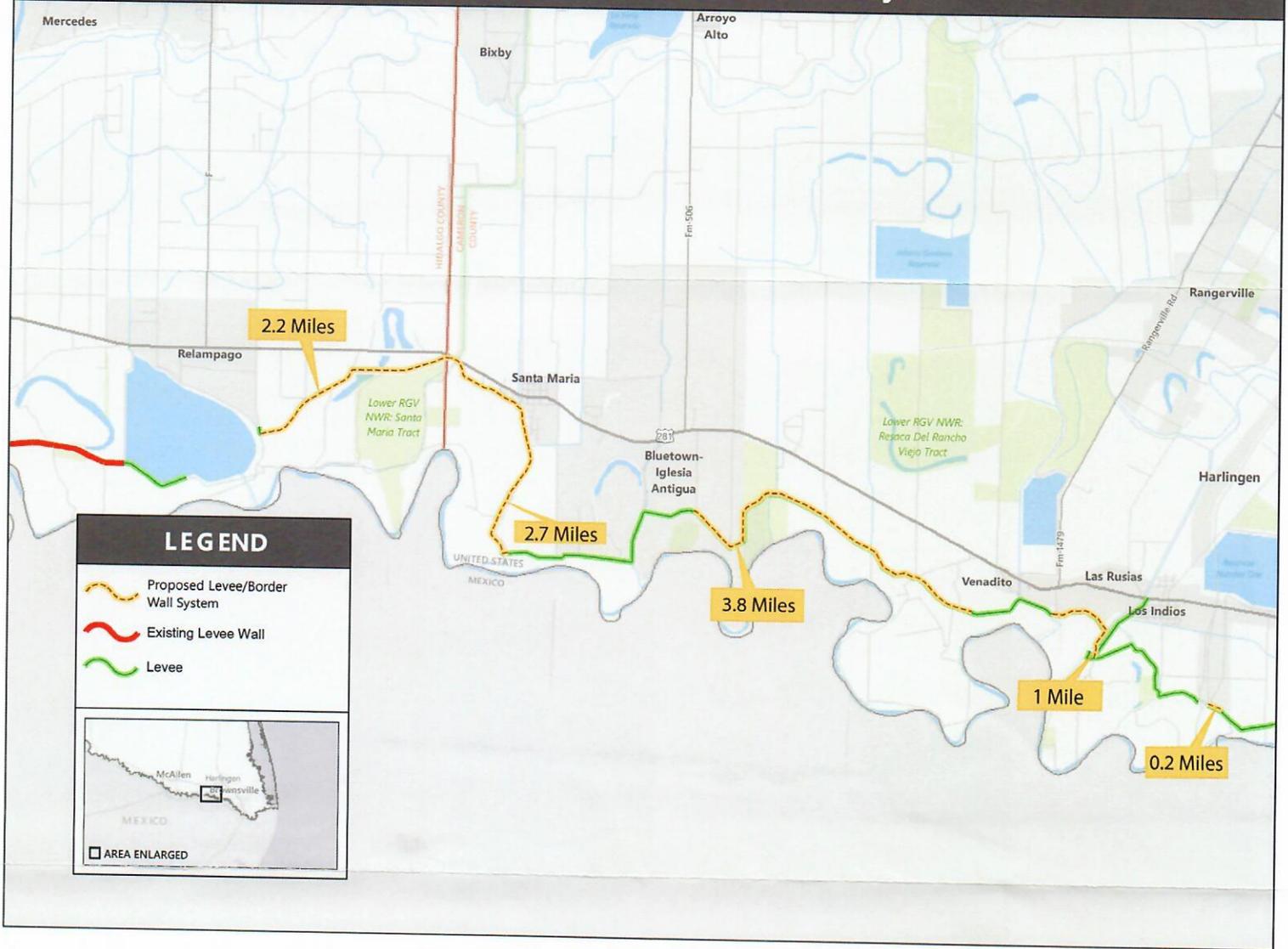
## Proposed Hidalgo County Border Infrastructure Projects





# U.S. Customs and Border Protection

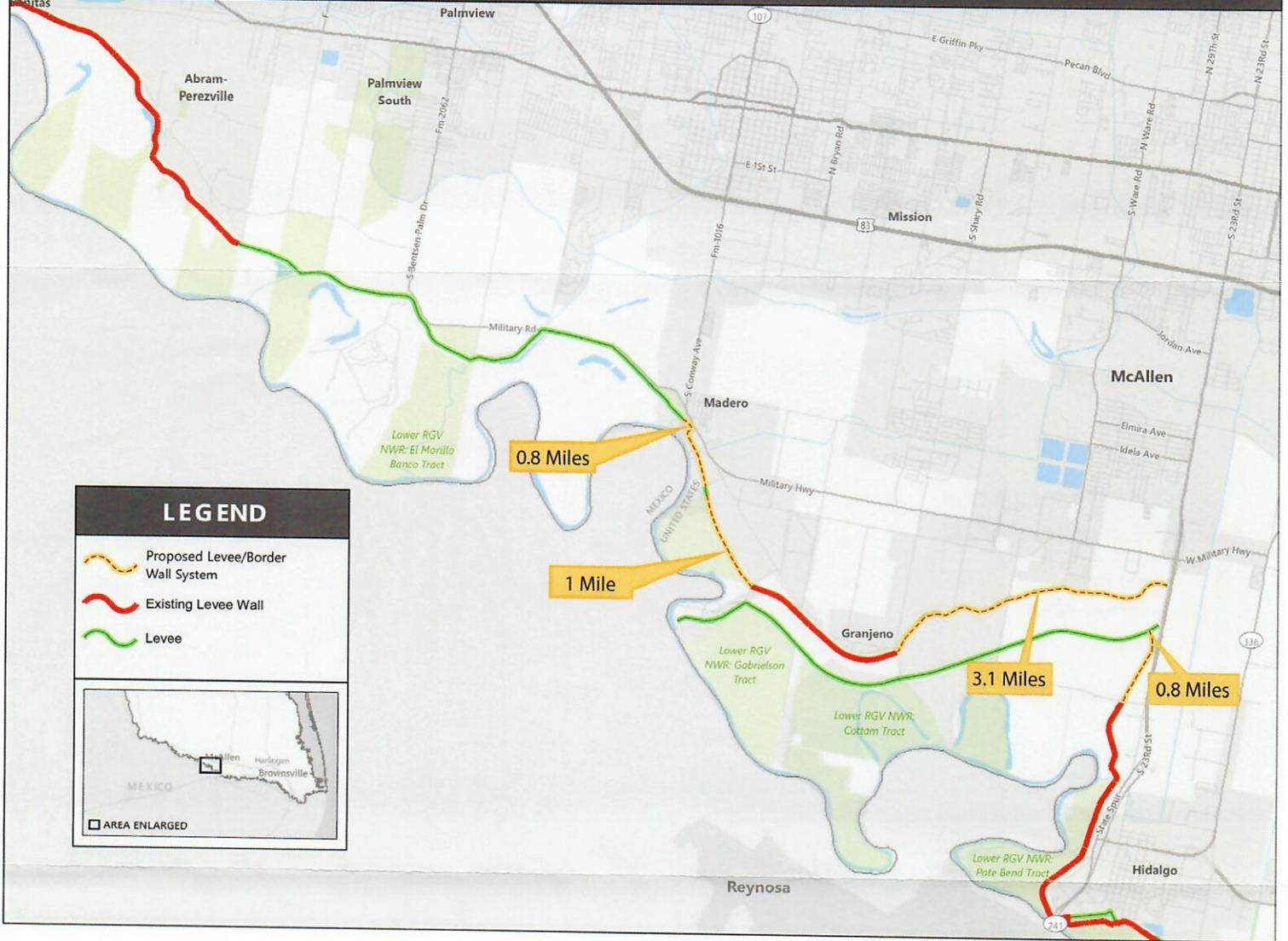
## Proposed Hidalgo/Cameron County Border Infrastructure Projects





# U.S. Customs and Border Protection

## Proposed Hidalgo County Border Infrastructure Projects





# U.S. Customs and Border Protection

## Proposed Hidalgo County Border Infrastructure Projects



## Conversation Contents

### Signed Letter TA-1133

#### Attachments:

/8. Signed Letter TA-1133/1.1 20190401113430.pdf  
/8. Signed Letter TA-1133/2.1 20190401113430.pdf  
/8. Signed Letter TA-1133/3.1 20190401113430.pdf  
/8. Signed Letter TA-1133/6.1 20190401113430.pdf  
/8. Signed Letter TA-1133/7.1 20190401113430.pdf

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### "Diaz, Anthony" <anthony\_diaz@fws.gov>

**From:** "Diaz, Anthony" <anthony\_diaz@fws.gov>  
**Sent:** Mon Apr 01 2019 11:45:55 GMT-0600 (MDT)  
**To:** Ernesto Reyes <ernesto\_reyes@fws.gov>  
**Subject:** Signed Letter TA-1133  
**Attachments:** 20190401113430.pdf

--

Respectfully Sent,  
Anthony Diaz  
Field Office Assistant  
US Fish and Wildlife Service  
4444 Corona Drive Suite 215  
Corpus Christi, Texas 78411-4300  
Office: 361-994-9005 ext. 26311  
Direct Line: 361-225-7311  
Cell: 281-667-6534

*"Some people spend an entire lifetime wondering if they made a difference in the world. But, the Marines don't have that problem." - President Ronald Reagan*

Semper Fidelis

---

### "Reyes, Ernesto" <ernesto\_reyes@fws.gov>

**From:** "Reyes, Ernesto" <ernesto\_reyes@fws.gov>  
**Sent:** Mon Apr 01 2019 12:12:14 GMT-0600 (MDT)  
**To:** Robert Jess <robert\_jess@fws.gov>, Sonny Perez <sonny\_perez@fws.gov>, Bryan Winton <bryan\_winton@fws.gov>, Scot Edler <scot\_edler@fws.gov>, Laura delaGarza <laura\_delagarza@fws.gov>  
**Subject:** Fwd: Signed Letter TA-1133  
**Attachments:** 20190401113430.pdf

FYI. Letter to CBP on proposed roads below Falcon Dam.

Ernesto Reyes  
U.S. Fish and Wildlife Service  
Alamo Ecological Service Sub-Office  
3325 Green Jay Rd  
Alamo, Texas 78516  
Tel:956-784-7560  
Fax:956-787-8338

----- Forwarded message -----

From: **Diaz, Anthony** <anthony\_diaz@fws.gov>  
Date: Mon, Apr 1, 2019 at 12:46 PM  
Subject: Signed Letter TA-1133  
To: Ernesto Reyes <ernesto\_reyes@fws.gov>

--

Respectfully Sent,  
Anthony Diaz  
Field Office Assistant  
US Fish and Wildlife Service  
4444 Corona Drive Suite 215  
Corpus Christi, Texas 78411-4300  
Office: 361-994-9005 ext. 26311  
Direct Line: 361-225-7311  
Cell: 281-667-6534

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**"Reyes, Ernesto" <ernesto\_reyes@fws.gov>**

---

**From:** "Reyes, Ernesto" <ernesto\_reyes@fws.gov>  
**Sent:** Wed Apr 03 2019 07:42:14 GMT-0600 (MDT)  
**To:** "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>, commentsenv@cbp.gov  
**Subject:** Fwd: Signed Letter TA-1133  
**Attachments:** 20190401113430.pdf

Paul,

I apologize for not getting this consultation letter out earlier, but with the shutdown and amount of workload we have fallen behind.

Thanks,

Ernesto Reyes  
U.S. Fish and Wildlife Service  
Alamo Ecological Service Sub-Office  
3325 Green Jay Rd  
Alamo, Texas 78516  
Tel:956-784-7560  
Fax:956-787-8338

"(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>

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**From:** "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>  
**Sent:** Wed Apr 03 2019 07:55:21 GMT-0600 (MDT)  
**To:** "Reyes, Ernesto" <ernesto\_reyes@fws.gov>  
**Subject:** [EXTERNAL] RE: Signed Letter TA-1133

Thanks Ernesto

**From:** Reyes, Ernesto <ernesto\_reyes@fws.gov>  
**Sent:** Wednesday, April 3, 2019 6:42 AM  
**To:** ENRIQUEZ, PAUL <paul.enriquez@cbp.dhs.gov>; commentsenv@cbp.gov  
**Subject:** Fwd: Signed Letter TA-1133

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Alamo Ecological Service Sub-Office

3325 Green Jay Rd  
Alamo, Texas 78516  
[Tel:956-784-7560](tel:956-784-7560)  
Fax:956-787-8338

---

**Microsoft Outlook <postmaster@doi.gov>**

---

**From:** Microsoft Outlook <postmaster@doi.gov>  
**Sent:** Wed Apr 03 2019 16:04:49 GMT-0600 (MDT)  
**To:** <ernesto\_reyes@fws.gov>  
**Subject:** Delivery delayed:Fwd: Signed Letter TA-1133

**Delivery is delayed to these recipients or groups:**

[commentserv@cbp.gov](mailto:commentserv@cbp.gov)

Subject: Fwd: Signed Letter TA-1133

This message hasn't been delivered yet. Delivery will continue to be attempted.

The server will keep trying to deliver this message for the next 1 days, 15 hours and 37 minutes. You'll be notified if the message can't be delivered by that time.

---

**Microsoft Outlook <postmaster@doi.gov>**

---

**From:** Microsoft Outlook <postmaster@doi.gov>  
**Sent:** Fri Apr 05 2019 07:46:45 GMT-0600 (MDT)  
**To:** <ernesto\_reyes@fws.gov>  
**Subject:** Undeliverable: Fwd: Signed Letter TA-1133  
**Attachments:** 20190401113430.pdf

**Delivery has failed to these recipients or groups:**

[commentserv@cbp.gov](mailto:commentserv@cbp.gov)

The server has tried to deliver this message, without success, and has stopped trying. Please try sending this message again. If the problem continues, contact your helpdesk.

**Diagnostic information for administrators:**

Generating server: smtp2.doi.gov

<p>commentserv@cbp.gov  
#550 4.4.7 QUEUE.Expired; message expired ##

**Original message headers:**

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Received: from smtp4.smgd.doi.gov (10.10.82.14) by smtp2.doi.gov (10.10.82.22)
with Microsoft SMTP Server id 14.3.435.0; Wed, 3 Apr 2019 07:42:37 -0600
DKIM-Signature: v=1; a=rsa-sha256; d=fws.gov; s=mail; c=relaxed/simple;
q=dns/txt; i=@fws.gov; t=1554298960; x=1556890960;
h=From:Sender:Reply-To:Subject:Date:Message-ID:To:Cc:MIME-Version:Content-Type:
Content-Transfer-Encoding:Content-ID:Content-Description:Resent-Date:Resent-From:
Resent-Sender:Resent-To:Resent-Cc:Resent-Message-ID:In-Reply-To:References:List-Id:
List-Help:List-Unsubscribe:List-Subscribe:List-Post:List-Owner:List-Archive;
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X-AuditID: 89e35218-111ff70000004ce8-12-5ca4b84fdcd1
Received: from gsmt21.doi.gov ([10.10.134.15]) (using TLS with cipher
ECDHE-RSA-AES256-SHA (256/256 bits)) (Client did not present a certificate)
by smtp4.smgd.doi.gov (Hello) with SMTP id 70.D5.19688.F48B4AC5; Wed, 3 Apr
2019 07:42:40 -0600 (MDT)
Received: from mail-vk1-f200.google.com (209.85.221.200) by gsmt21.doi.gov
(137.227.134.15) with Microsoft SMTP Server (TLS) id 14.3.408.0; Wed, 3 Apr
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2019 08:42:46 -0500  
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for <commentsew@cbp.gov>; Wed, 03 Apr 2019 06:42:32 -0700 (PDT)  
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d=fws.gov; s=bison;  
h=mime-version; references:in-reply-to:from:date:message-id:subject:to;  
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Wed, 03 Apr 2019 06:42:26 -0700 (PDT)  
X-Google-Smtp-Source: APXvYqzOyuq0wyaGy1M1SztxxSFhw74NVo4C6M2wGoNfjAznoDzSPHj4KNEZYKY5gy7BhdvUuAkIC8V8JuQ7DgZdTV0=  
X-Received: by 2002:a9f:2c09:: with SMTP id r9mr132712uaj.56.1554298945727;  
Wed, 03 Apr 2019 06:42:25 -0700 (PDT)  
MIME-Version: 1.0  
References: <CABYd-BNZtQXr8CO5jzz0JcMAFLyqqYtYw7kjMud5y9KcPdVycA@mail.gmail.com>  
In-Reply-To: <CABYd-BNZtQXr8CO5jzz0JcMAFLyqqYtYw7kjMud5y9KcPdVycA@mail.gmail.com>  
From: "Reyes, Ernesto" <ernesto\_reyes@fws.gov>  
Date: Wed, 3 Apr 2019 08:42:14 -0500  
Message-ID: <CA00qjita33HxBLa42Z\_0+6+baY+ToFcASUG1yu9P-KeC8DwNBQ@mail.gmail.com>  
Subject: Fwd: Signed Letter TA-1133  
To: "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>, <commentsew@cbp.gov>  
Content-Type: multipart/signed; micalg=pgp-sha256; protocol="application/pgp-globalsign"; boundary="0000008b45be0585a06ca7"  
X-Gm-Spam: 0  
X-Gm-Phishy: 0  
Return-Path: ernesto\_reyes@fws.gov  
X-Filter-Loop: Reflected  
X-Brightmail-Tracker: H4sIAAAAAAAAA+NgFprFKsWRmVesWpSXmKPEXsXCxfzrg27AjiUxBvufyVic3tdG7sDoMW/1  
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XFScCADZNVY9LQMAAA==

Paul,

I apologize for not getting this consultation letter out earlier, but with the shutdown and amount of workload we have fallen behind.

Thanks,

Ernesto Reyes  
U.S. Fish and Wildlife Service  
Alamo Ecological Service Sub-Office  
3325 Green Jay Rd  
Alamo, Texas 78516  
Tel:956-784-7560  
Fax:956-787-8338

**"Reyes, Ernesto" <ernesto\_reyes@fws.gov>**

**From:** "Reyes, Ernesto" <ernesto\_reyes@fws.gov>  
**Sent:** Fri Apr 05 2019 11:04:38 GMT-0600 (MDT)  
**To:** "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>  
**Subject:** Fwd: Undeliverable: Fwd: Signed Letter TA-1133

**Attachments:** 20190401113430.pdf

Good Morning Paul,

I tried to send this proposed CBP letter for road improvements below Falcon Dam that I sent you a copy, but it will not go through probably because it has been closed for comments already.

Ernesto Reyes  
U.S. Fish and Wildlife Service  
Alamo Ecological Service Sub-Office  
3325 Green Jay Rd  
Alamo, Texas 78516  
Tel:956-784-7560  
Fax:956-787-8338

----- Forwarded message -----

From: **Microsoft Outlook** <[postmaster@doi.gov](mailto:postmaster@doi.gov)>  
Date: Fri, Apr 5, 2019 at 8:48 AM  
Subject: Undeliverable: Fwd: Signed Letter TA-1133  
To: <[ernesto\\_reyes@fws.gov](mailto:ernesto_reyes@fws.gov)>

**Delivery has failed to these recipients or groups:**

[commentsenv@cbp.gov](mailto:commentsenv@cbp.gov)

The server has tried to deliver this message, without success, and has stopped trying. Please try sending this message again. If the problem continues, contact your helpdesk.

**Diagnostic information for administrators:**

Generating server: [smtp2.doi.gov](mailto:smtp2.doi.gov)

[commentsenv@cbp.gov](mailto:commentsenv@cbp.gov)

#550 4.4.7 QUEUE.Expired; message expired ##

**Original message headers:**

Received: from [smtp4.smqd.doi.gov](mailto:smtp4.smqd.doi.gov) (10.10.82.14) by [smtp2.doi.gov](mailto:smtp2.doi.gov) (10.10.82.22) with Microsoft SMTP Server id 14.3.435.0; Wed, 3 Apr 2019 07:42:37 -0600  
DKIM-Signature: v=1; a=rsa-sha256; d=[fws.gov](http://fws.gov); s=mail; c=relaxed/simple; q=dns/txt; i=@[fws.gov](http://fws.gov); t=1554298960; x=1556890960;  
h=From:Sender:Reply-To:Subject:Date:Message-ID:To:Cc:MIME-Version:Content-Type:Content-Transfer-Encoding:Content-ID:Content-Description:Resent-Date:Resent-From:Resent-Sender:Resent-To:Resent-Cc:Resent-Message-ID:In-Reply-To:References:List-Id:List-Help:List-Unsubscribe:List-Subscribe:List-Post:List-Owner:List-Archive; bh=9zXoJjtw8K1SihL2KbkW0kZI51bBCvHAPw2i5pSideI=; b=WLLB7ZdmElBUfBYU4f6PISWDB071Uf9gs9zmHxF4EcHBHX5LbboH9bwB2e0X+brye VPMfRDMIYdTLwpyd75oTlXkuyXgH+NaGQGufIk7smBt31ldvjBZL3MEAD+n+am/G DSVSS6KX0cQH6HZ1/lh558sgWtscMzB/EprD9Krp60U=;  
X-AuditID: 89e35218-111ff70000004ce8-12-5ca4b84fdcd1  
Received: from [gsmt21.doi.gov](mailto:gsmt21.doi.gov) ([10.10.134.15]) (using TLS with cipher ECDHE-RSA-AES256-SHA (256/256 bits)) (Client did not present a certificate) by [smtp4.smqd.doi.gov](mailto:smtp4.smqd.doi.gov) (Hello) with SMTP id 70.D5.19688.F48B4AC5; Wed, 3 Apr 2019 07:42:40 -0600 (MDT)  
Received: from [mail-vk1-f200.google.com](mailto:mail-vk1-f200.google.com) (209.85.221.200) by [gsmt21.doi.gov](mailto:gsmt21.doi.gov) (137.227.134.15) with Microsoft SMTP Server (TLS) id 14.3.408.0; Wed, 3 Apr 2019 08:42:46 -0500  
Received: by [mail-vk1-f200.google.com](mailto:mail-vk1-f200.google.com) with SMTP id 81so7913526vkn.19 for <[commentsenv@cbp.gov](mailto:commentsenv@cbp.gov)>; Wed, 03 Apr 2019 06:42:32 -0700 (PDT)  
DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=[fws.gov](http://fws.gov); s=bison; h=mime-version:references:in-reply-to:from:date:message-id:subject:to; bh=vWG6RtxbmCbjSIMaxEWihJmlbEei/ejpClAqDmCBDLg=; b=FgVU8Z9VpoFUD7wnW6dGE4rISWBG9XHIsXBk782dJhveu/VAwXn2Wc18nfsSv+eCvk 8bUh01PTcZ/vsTi26nGtxmK8piCbdMzpFkPoqclWr5BbHkCriLV5eJUUn/TXPanQEQBad uvGmMRMunRb//Cntq1XoGQPmrbsGYJD3EwVpg=  
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X-Received: by 2002:a9f:2c09:: with SMTP id r9mr132751uaj.56.1554298946518;  
Wed, 03 Apr 2019 06:42:26 -0700 (PDT)

X-Google-Smtp-Source: APXvYqzOyuq0wyaGy1M1SztxxSFhw74NVo4C6M2wGoNfjAzOdZSPHJ4KNEZYKY5gy7BhdvUuAkIC8V8JuQ7DgZdTV0=  
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Wed, 03 Apr 2019 06:42:25 -0700 (PDT)

MIME-Version: 1.0

References: <CABYd-BNZtOXr8CO5jzz0JcMAFLyqgYtYw7kjMud5v9KCpdVycA@mail.gmail.com>  
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From: "Reyes, Ernesto" <ernesto\_reyes@fws.gov>

Date: Wed, 3 Apr 2019 08:42:14 -0500

Message-ID: <CA00qिता33HxBLa42Z\_0+6+baY+ToFcASUG1yu9P-KeC8DwNBQ@mail.gmail.com>

Subject: Fwd: Signed Letter TA-1133

To: "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>, <commentsenv@cbp.gov>

Content-Type: multipart/alternative; boundary="0000008b45be0585a06ca7"

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X-Brightmail-Tracker: H4sIAAAAAAAAA+NgFprFKsWRmVesWpSXmKPEXsXCxfzrg27AjiUxBvufyVic3tdG7sDoMW/1

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XFScCADZNVY9LQMAAA==

----- Forwarded message -----

From: "Reyes, Ernesto" <ernesto\_reyes@fws.gov>

To: "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>, <commentsenv@cbp.gov>

Cc:

Bcc:

Date: Wed, 3 Apr 2019 08:42:14 -0500

Subject: Fwd: Signed Letter TA-1133

Paul,

I apologize for not getting this consultation letter out earlier, but with the shutdown and amount of workload we have fallen behind.

Thanks,

Ernesto Reyes  
U.S. Fish and Wildlife Service  
Alamo Ecological Service Sub-Office  
3325 Green Jay Rd  
Alamo, Texas 78516  
Tel:956-784-7560  
Fax:956-787-8338



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Texas Coastal Ecological Services Field Office

3325 Green Jay Road

Alamo, Texas 78516

Main: (956) 784-7560 Fax: (956) 787-8338



In Reply Refer To:

FWS/R2/ES/02ETCC00-2019-TA-1133

March 29, 2019

U.S. Customs and Border Protection  
U.S. Border Patrol Headquarters  
Program Management Office Directorate Wall Portfolio  
1300 Pennsylvania Ave. 6.5E Mail Stop 1039  
Washington, DC 20229-1100

Dear U.S. Customs and Border Protection:

Thank you for the letter we received March 4, 2019, regarding a proposed upgrade to four road segments and effects to federally listed species in Starr County, Texas. U.S. Customs and Border Protection (CBP) is preparing an Environmental Assessment (EA) to determine if the proposal has significant environmental impacts. The project also was evaluated for effects to wetlands and other federal trust fish and wildlife resources.

We understand that CBP plans to upgrade all-weather roads to improve mobility and accessibility for CBP agents responding to illegal cross-border traffic. The roads are in the Rio Grande Station Area of Responsibility, Rio Grande Valley Sector, south of Falcon International Reservoir. These roads generally parallel the Rio Grande and 2.66 miles of new construction and 9.7 miles of upgrades are planned.

The U.S. Fish and Wildlife Service (Service) requests additional information on the width and design of the proposed new and upgraded road segments. Also, we request information on the type of habitat to be impacted and an evaluation of impacts to brush habitat for ocelots and jaguarundis along the Rio Grande River, as well as impacts to endangered plant species. A list of threatened and endangered species is enclosed. The Service recommends endangered plant surveys in the area for the proposed road construction and upgrades. The Service recommends using qualified biologists/botanists familiar with local plant communities including the federally-listed threatened and endangered plants within the Proposed Action area. A list of qualified botanists can be provided upon request.

The proposed road construction traverses two Lower Rio Grande Valley National Wildlife Refuge (LRGVNWR) tracts of land (Las Ruinas and Arroyo Montero) which contain critical habitat for the Zapata bladderpod, an endangered plant. Close coordination with the Refuge

U.S. Customs and Border Protection

Manager (Bryan Winton 956-784-7521) will be needed, to allow the Refuge to evaluate impacts to Refuge lands and other trust resources. A Special Use Permit will be needed from the LRGVNWR to perform on the ground road design surveys or plant surveys.

Future border fence is to be installed approximately 500 feet north of the proposed road upgrade on the Las Ruinas tract. Please evaluate the cumulative impacts between the current road upgrade and planned fence alignment with focus on effects to habitat and wildlife from associated clearing and road access. This will fragment LRGVNWR habitat and impede wildlife movement north and south of the border fence alignment. Also, please evaluate the border fence alignment proposed across the LRGVNWR for cumulative habitat fragmentation impacts. Conservation measures to offset habitat impacts should be identified in the EA. We recommend CBP look at existing road access and proposed road upgrades and decide whether all roads are essential or if some roads could be closed to reduce habitat fragmentation and wildlife disturbance along the river wildlife corridor.

To comply with the Migratory Bird Treaty Act and to avoid impacts to listed avian species, we recommend advance surveys for nesting migratory birds and nests if trees or brush are to be cleared with mechanical devices during the nesting season (March 15 through September 15). If a nest is found, and if possible, the Service recommends a buffer of vegetation ( $\geq 50$  ft) remain around the nest until young have fledged or the nest is abandoned.

We appreciate the opportunity to provide pre-planning information. If we can be of further assistance, please contact Ernesto Reyes at (956) 784-7560.

Sincerely,



 Charles Ardizzone  
Field Supervisor

cc:

Assistant Field Supervisor, U.S. Fish and Wildlife Service, Corpus Christi, TX  
Bryan Winton, LRGVNWR Manager, Alamo, TX  
Paul Enriquez, CBP Environmental Director, Laguna Niguel, CA

Enclosure

## Federally Listed as Threatened and Endangered Species of Texas

March 31, 2017

This list represents species that may be in Starr County.  
[http://www.fws.gov/southwest/es/EndangeredSpecies\\_Main.html](http://www.fws.gov/southwest/es/EndangeredSpecies_Main.html).

### Starr County

Ashy dogweed	(E)	<i>Thymophylla (=Dyssodia) tephroleuca</i>
Gulf Coast jaguarundi	(E)	<i>Herpailurus yagouaroundi cacomitli</i>
Johnston's frankenia	(E)	<i>Frankenia johnstonii</i>
Least tern	(E ~)	<i>Sternula antillarum</i>
Ocelot	(E)	<i>Leopardus pardalis</i>
Star cactus	(E)	<i>Astrophytum (=Echinocactus) asterias</i>
Walker's manioc	(E)	<i>Manihot walkerae</i>
Zapata bladderpod	(E w/CH)	<i>Lesquerella thamnophila</i>

### INDEX

Statewide or area wide migrants are not included by county, except where they breed or occur in concentrations. The whooping crane is an exception; an attempt is made to include all confirmed sightings on this list.

- E = Species in danger of extinction throughout all or a significant portion of its range.  
 CH = Critical Habitat in Texas  
 ~ = protection restricted to populations found in the Ainterior@ of the United States. In Texas, the least tern receives full protection, except within 50 miles (80 km) of the Gulf Coast.  
 \* = Conditional -This species only needs to be considered if wind related projects are within migratory route.

# Conversation Contents

Fwd: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts

**"McDowell, Kelly" <kelly\_mcdowell@fws.gov>**

---

**From:** "McDowell, Kelly" <kelly\_mcdowell@fws.gov>  
**Sent:** Mon Mar 11 2019 14:38:40 GMT-0600 (MDT)  
**To:** Ernesto Reyes <ernesto\_reyes@fws.gov>  
**Subject:** Fwd: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts

Ernesto,

I would assume the answer is yes?

Kelly

----- Forwarded message -----

From: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
Date: Mon, Mar 11, 2019 at 2:32 PM  
Subject: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts  
To: Kelly McDowell <kelly\_mcdowell@fws.gov>, Brent Range <brent\_range@ios.doi.gov>, scot edler@fws.gov <scot\_edler@fws.gov>, (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

Kelly and Scot- Do you know if you would want any of the smaller openings/cat holes in the barrier that would be in these two tracts?

Thank you,

Paul

--  
Kelly McDowell  
Refuge Supervisor Texas Gulf Coast  
956-566-3664

**Ernesto Reyes <ernesto\_reyes@fws.gov>**

---

**From:** Ernesto Reyes <ernesto\_reyes@fws.gov>  
**Sent:** Mon Mar 11 2019 15:10:19 GMT-0600 (MDT)  
**To:** "McDowell, Kelly" <kelly\_mcdowell@fws.gov>  
**Subject:** Re: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts

Yes

Sent from my iPhone

On Mar 11, 2019, at 3:38 PM, McDowell, Kelly <[kelly\\_mcdowell@fws.gov](mailto:kelly_mcdowell@fws.gov)> wrote:

Ernesto,

I would assume the answer is yes?

Kelly

----- Forwarded message -----

From: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
Date: Mon, Mar 11, 2019 at 2:32 PM  
Subject: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts  
To: Kelly McDowell <[kelly\\_mcdowell@fws.gov](mailto:kelly_mcdowell@fws.gov)>, Brent Range <[brent\\_range@ios.doi.gov](mailto:brent_range@ios.doi.gov)>, scot\_edler@fws.gov <[scot\\_edler@fws.gov](mailto:scot_edler@fws.gov)>, (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

Kelly and Scot- Do you know if you would want any of the smaller openings/cat holes in the barrier that would be in these two tracts?

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Paul

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Kelly McDowell  
Refuge Supervisor Texas Gulf Coast  
956-566-3664

**"McDowell, Kelly" <[kelly\\_mcdowell@fws.gov](mailto:kelly_mcdowell@fws.gov)>**

---

**From:** "McDowell, Kelly" <[kelly\\_mcdowell@fws.gov](mailto:kelly_mcdowell@fws.gov)>  
**Sent:** Mon Mar 11 2019 15:36:17 GMT-0600 (MDT)  
**To:** "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>  
Brent Range <[brent\\_range@ios.doi.gov](mailto:brent_range@ios.doi.gov)>, "scot\_edler@fws.gov" <[scot\\_edler@fws.gov](mailto:scot_edler@fws.gov)>, "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>  
**CC:** "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>, Ernesto Reyes <[ernesto\\_reyes@fws.gov](mailto:ernesto_reyes@fws.gov)>  
**Subject:** Re: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts

Paul,

I spoke to Ernesto and he is requesting smaller openings. I concur. Scott and Ernesto will identify locations for openings.

Kelly

On Mon, Mar 11, 2019 at 2:32 PM (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)> wrote:

Kelly and Scot- Do you know if you would want any of the smaller openings/cat holes in the barrier that would be in these two tracts?

Thank you,

Paul

--

Kelly McDowell  
Refuge Supervisor Texas Gulf Coast  
956-566-3664

"(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>

---

**From:** "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>  
**Sent:** Mon Mar 11 2019 16:56:56 GMT-0600 (MDT)  
**To:** "McDowell, Kelly" <kelly\_mcdowell@fws.gov>  
Brent Range <brent\_range@ios.doi.gov>, "scot\_edler@fws.gov"  
<scot\_edler@fws.gov>, "(b) (6), (b) (7)(C)"  
**CC:** <(b) (6), (b) (7)(C)>, Ernesto Reyes  
<ernesto\_reyes@fws.gov>  
**Subject:** Re: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts

Copy, please let us know the number, size, and preferred locations.

Thank you

On Mar 11, 2019, at 4:36 PM, McDowell, Kelly <[kelly\\_mcdowell@fws.gov](mailto:kelly_mcdowell@fws.gov)> wrote:

Paul,

I spoke to Ernesto and he is requesting smaller openings. I concur. Scott and Ernesto will identify locations for openings.

Kelly

On Mon, Mar 11, 2019 at 2:32 PM (b) (6), (b) (7)(C)  
<(b) (6), (b) (7)(C)> wrote:

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Kelly McDowell  
Refuge Supervisor Texas Gulf Coast  
956-566-3664

"(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>

---

**From:** "(b) (6), (b) (7)(C)" (b) (6), (b) (7)(C) >  
**Sent:** Thu Mar 14 2019 23:24:22 GMT-0600 (MDT)  
**To:** "McDowell, Kelly" <kelly\_mcdowell@fws.gov>  
Brent Range <brent\_range@ios.doi.gov>, "scot\_edler@fws.gov"  
<scot\_edler@fws.gov>, "(b) (6), (b) (7)(C)"  
**CC:** <(b) (6), (b) (7)(C)>, Ernesto Reyes  
<ernesto\_reyes@fws.gov>  
**Subject:** RE: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts

Ernesto and Scot – Please provide the information on openings for the Las Ruinas and Arroyo Ramirez tracts by COB tomorrow. The US Army Corps of Engineers would like to include this information into contract documents.

Thank you

**From:** McDowell, Kelly <kelly\_mcdowell@fws.gov>  
**Sent:** Monday, March 11, 2019 2:36 PM  
**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Cc:** Brent Range <brent\_range@ios.doi.gov>; scot\_edler@fws.gov; (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) >; Ernesto Reyes <ernesto\_reyes@fws.gov>  
**Subject:** Re: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts

Paul,

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On Mon, Mar 11, 2019 at 2:32 PM (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)> wrote:

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Thank you,

Paul

--  
Kelly McDowell  
Refuge Supervisor Texas Gulf Coast  
956-566-3664

---

**Scot Edler <scot\_edler@fws.gov>**

**From:** Scot Edler <scot\_edler@fws.gov>  
**Sent:** Fri Mar 15 2019 16:14:03 GMT-0600 (MDT)  
**To:** "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>  
"McDowell, Kelly" <kelly\_mcdowell@fws.gov>, Brent Range  
<brent\_range@ios.doi.gov>, "(b) (6), (b) (7)(C)"

**CC:** <(b) (6), (b) (7)(C)>, Ernesto Reyes  
<ernesto\_reyes@fws.gov>

**Subject:** Re: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts

I believe Ernesto is on A/L and so am I. I will be back in the office on Monday

Sent from my iPhone

On Mar 15, 2019, at 12:24 AM, (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)> wrote:

Ernesto and Scot – Please provide the information on openings for the Las Ruinas and Arroyo Ramirez tracts by COB tomorrow. The US Army Corps of Engineers would like to include this information into contract documents.

Thank you

**From:** McDowell, Kelly <kelly\_mcdowell@fws.gov>  
**Sent:** Monday, March 11, 2019 2:36 PM  
**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Cc:** Brent Range <brent\_range@ios.doi.gov>; scot\_edler@fws.gov; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; Ernesto Reyes <ernesto\_reyes@fws.gov>  
**Subject:** Re: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts

Paul,

I spoke to Ernesto and he is requesting smaller openings. I concur. Scott and Ernesto will identify locations for openings.

Kelly

On Mon, Mar 11, 2019 at 2:32 PM (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)> wrote:

Kelly and Scot- Do you know if you would want any of the smaller openings/cat holes in the barrier that would be in these two tracts?

Thank you,

Paul

--

Kelly McDowell  
Refuge Supervisor Texas Gulf Coast  
956-566-3664

**"Edler, Scot" <scot\_edler@fws.gov>**

---

**From:** "Edler, Scot" <scot\_edler@fws.gov>  
**Sent:** Mon Mar 18 2019 09:40:34 GMT-0600 (MDT)  
**To:** "Reyes, Ernesto" <ernesto\_reyes@fws.gov>  
**Subject:** Fwd: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts

----- Forwarded message -----

From: **Edler, Scot** <[scot\\_edler@fws.gov](mailto:scot_edler@fws.gov)>

Date: Mon, Mar 18, 2019 at 8:42 AM

Subject: Re: [EXTERNAL] Las Ruinas and Arroyo Ramirez Tracts

To: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

Cc: Kelly McDowell <[kelly\\_mcdowell@fws.gov](mailto:kelly_mcdowell@fws.gov)>, Brent Range <[brent\\_range@ios.doi.gov](mailto:brent_range@ios.doi.gov)>,  
(b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

Paul, as we discussed on the phone this morning. We are requesting an 8.5" x 11" cat opening every 200' along the entire fence line that borders Arroyo Ramirez tract. We would also like 3 openings on Las Ruinas tract on the first 400' of fence beginning from the North moving south.

On Mon, Mar 11, 2019 at 2:32 PM (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)> wrote:

Kelly and Scot- Do you know if you would want any of the smaller openings/cat holes in the barrier that would be in these two tracts?

Thank you,

Paul

--

Scot A. Edler  
Asst. Manager  
Lower Rio Grande Valley NWR  
3325 Green Jay Rd.  
Alamo TX 78516  
Office: 956-784-7621  
Cell: 956-683-5200

--

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## Conversation Contents

### Border Area Guidance

#### Attachments:

- /2. Border Area Guidance/1.1 image003.jpg
- /2. Border Area Guidance/2.1 image003.jpg
- /2. Border Area Guidance/3.1 image003.jpg
- /2. Border Area Guidance/5.1 image003.jpg

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### "Gardiner, Dawn" <dawn\_gardiner@fws.gov>

**From:** "Gardiner, Dawn" <dawn\_gardiner@fws.gov>  
**Sent:** Fri Feb 08 2019 13:56:49 GMT-0700 (MST)  
**To:** Chris Best <chris\_best@fws.gov>, Mary Orms <mary\_orms@fws.gov>, Mary Skoruppa <mary\_kay\_skoruppa@fws.gov>, Gretchen Nareff <gretchen\_nareff@fws.gov>, Pat Clements <pat\_clements@fws.gov>, Beau Hardegree <beau\_hardegree@fws.gov>, Tim Anderson <tim\_anderson@fws.gov>, Chip Wood <chip\_wood@fws.gov>, Chad Stinson <chad\_stinson@fws.gov>  
**CC:** Chuck Ardizzone <chuck\_ardizzone@fws.gov>, David Hoth <david\_hoth@fws.gov>  
**Subject:** Border Area Guidance  
**Attachments:** image003.jpg

ES should following this recent border area guidance from Rob Jess excerpted below:

Until further notice, and while on duty, no staff of STRC (including FWO's and Fire ) is permitted to be in Zone 8, an area that includes the La Parida Banco, El Morrillo Banco (BP ho adjacent and near these tracts including the North American Butterfly Center (NABA). Due to circumstances involving the upcoming construction of the fence (wall, etc.), possible prudent that FWS personnel avoid the identified areas.

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It is suggested that while in uniform and in the performance of your duties, to avoid any external discussion of immigration, border walls, human and drug smuggling.

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Unfortunately for ongoing APG assignments, because of the previous waiver we do not have listed plant surveys so are not quite sure what's there and now w

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**Dawn Gardiner**  
Assistant Field Supervisor  
Texas Coastal Ecological Services Field Office  
U.S. Fish and Wildlife Service  
4444 Corona Drive, Suite 215  
Corpus Christi, TX

(361) 994-9005 x26310  
(361) 225-7310 direct line  
[dawn\\_gardiner@fws.gov](mailto:dawn_gardiner@fws.gov)

*Working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats in South Texas for the continuing benefit of the American people.*

---

### "Gardiner, Dawn" <dawn\_gardiner@fws.gov>

**From:** "Gardiner, Dawn" <dawn\_gardiner@fws.gov>  
**Sent:** Fri Feb 08 2019 13:57:50 GMT-0700 (MST)  
**To:** Alejandro Rodriguez <alejandro\_rodriguez@fws.gov>  
**Subject:** Fwd: Border Area Guidance  
**Attachments:** image003.jpg

fyi Hope you are doing well.

Dawn

----- Forwarded message -----

From: **Gardiner, Dawn** <[dawn\\_gardiner@fws.gov](mailto:dawn_gardiner@fws.gov)>

Date: Fri, Feb 8, 2019 at 2:56 PM

Subject: Border Area Guidance

To: Chris Best <[chris\\_best@fws.gov](mailto:chris_best@fws.gov)>, Mary Orms <[mary\\_orms@fws.gov](mailto:mary_orms@fws.gov)>, Mary Skoruppa <[mary\\_kay\\_skoruppa@fws.gov](mailto:mary_kay_skoruppa@fws.gov)>, Gretchen Nareff <[gretchen\\_nareff@fws.gov](mailto:gretchen_nareff@fws.gov)>, Pat Clements <[pat\\_clements@fws.gov](mailto:pat_clements@fws.gov)>, Beau Hardegee <[beau\\_hardegee@fws.gov](mailto:beau_hardegee@fws.gov)>, Tim Anderson <[tim\\_anderson@fws.gov](mailto:tim_anderson@fws.gov)>, Chip Wood <[chip\\_wood@fws.gov](mailto:chip_wood@fws.gov)>, Chad Stinson <[chad\\_stinson@fws.gov](mailto:chad_stinson@fws.gov)>

Cc: Chuck Ardizzone <[chuck\\_ardizzone@fws.gov](mailto:chuck_ardizzone@fws.gov)>, David Hoth <[david\\_hoth@fws.gov](mailto:david_hoth@fws.gov)>

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**"Rodriguez, Alejandro" <[alejandro\\_rodriguez@fws.gov](mailto:alejandro_rodriguez@fws.gov)>**

---

**From:** "Rodriguez, Alejandro" <alejandro\_rodriguez@fws.gov>  
**Sent:** Fri Feb 08 2019 13:59:10 GMT-0700 (MST)  
**To:** "Gardiner, Dawn" <dawn\_gardiner@fws.gov>  
**Subject:** Re: Border Area Guidance  
**Attachments:** image003.jpg

Smart call! Stay warm.  
Alejandro Rodriguez

On Fri, Feb 8, 2019 at 2:58 PM Gardiner, Dawn <dawn\_gardiner@fws.gov> wrote:  
fyi Hope you are doing well.

Dawn

----- Forwarded message -----

From: **Gardiner, Dawn** <dawn\_gardiner@fws.gov>

Date: Fri, Feb 8, 2019 at 2:56 PM

Subject: Border Area Guidance

To: Chris Best <chris\_best@fws.gov>, Mary Orms <mary\_orms@fws.gov>, Mary Skoruppa <mary\_kay\_skoruppa@fws.gov>, Gretchen Nareff <gretchen\_nareff@fws.gov>, Pat Clements <pat\_clements@fws.gov>, Beau Hardegee <beau\_hardegee@fws.gov>, Tim Anderson <tim\_anderson@fws.gov>, Chip Wood <chip\_wood@fws.gov>, Chad Stinson <chad\_stinson@fws.gov>

Cc: Chuck Ardizzone <chuck\_ardizzone@fws.gov>, David Hoth <david\_hoth@fws.gov>

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**"Best, Chris" <chris\_best@fws.gov>**

---

**From:** "Best, Chris" <chris\_best@fws.gov>  
**Sent:** Fri Feb 08 2019 14:47:56 GMT-0700 (MST)  
**To:** "Gardiner, Dawn" <dawn\_gardiner@fws.gov>  
Mary Orms <mary\_orms@fws.gov>, Mary Skoruppa <mary\_kay\_skoruppa@fws.gov>, Gretchen Nareff <gretchen\_nareff@fws.gov>, Pat Clements <pat\_clements@fws.gov>, Beau Hardegree <beau\_hardegree@fws.gov>, Tim Anderson <tim\_anderson@fws.gov>, Chip Wood <chip\_wood@fws.gov>, Chad Stinson <chad\_stinson@fws.gov>, Chuck Ardizzone <chuck\_ardizzone@fws.gov>, David Hoth <david\_hoth@fws.gov>  
**CC:**  
**Subject:** Re: Border Area Guidance

Dawn -

Thanks for forwarding this.

To my knowledge, there are no populations of listed plants in or near the area of exclusion identified by Rob Jess. The nearest listed plant population would be Walker's manioc, at Peñitas Cemetery, and nearby.

Chris Best, State Botanist  
U.S. Fish and Wildlife Service  
10711 Burnet Rd., Suite 200  
Austin, Texas 78758  
Tel: 512-490-0057 x 225  
[chris\\_best@fws.gov](mailto:chris_best@fws.gov)

"He trusts other people's ideas more than the actual people."  
\*\*\*\*\*

On Fri, Feb 8, 2019 at 2:57 PM Gardiner, Dawn <[dawn\\_gardiner@fws.gov](mailto:dawn_gardiner@fws.gov)> wrote:

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"Gardiner, Dawn" <dawn\_gardiner@fws.gov>

**From:** "Gardiner, Dawn" <dawn\_gardiner@fws.gov>  
**Sent:** Fri Feb 08 2019 14:52:17 GMT-0700 (MST)  
**To:** "Best, Chris" <chris\_best@fws.gov>  
**Subject:** Re: Border Area Guidance  
**Attachments:** image003.jpg

Thank you Chris.

On Fri, Feb 8, 2019 at 3:48 PM Best, Chris <chris\_best@fws.gov> wrote:  
Dawn -

Thanks for forwarding this.

To my knowledge, there are no populations of listed plants in or near the area of exclusion identified by Rob Jess. The nearest listed plant population would be Walker's manioc, at Peñitas Cemetery, and nearby.

Chris Best, State Botanist  
U.S. Fish and Wildlife Service  
10711 Burnet Rd., Suite 200  
Austin, Texas 78758  
Tel: 512-490-0057 x 225  
[chris\\_best@fws.gov](mailto:chris_best@fws.gov)

"He trusts other people's ideas more than the actual people."  
\*\*\*\*\*

On Fri, Feb 8, 2019 at 2:57 PM Gardiner, Dawn <dawn\_gardiner@fws.gov> wrote:

ES should following this recent border area guidance from Rob Jess excerpted below:

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Unfortunately for ongoing APG assignments, because of the previous waiver we do not have listed plant surveys so are not quite sure what's there and n

--  
--



**Dawn Gardiner**  
Assistant Field Supervisor  
Texas Coastal Ecological Services Field Office  
U.S. Fish and Wildlife Service  
4444 Corona Drive, Suite 215  
Corpus Christi, TX

(361) 994-9005 x26310  
(361) 225-7310 direct line  
[dawn\\_gardiner@fws.gov](mailto:dawn_gardiner@fws.gov)

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**Tim Anderson** <tim\_anderson@fws.gov>

---

**From:** Tim Anderson <tim\_anderson@fws.gov>  
**Sent:** Fri Feb 08 2019 17:12:33 GMT-0700 (MST)  
**To:** "Best, Chris" <chris\_best@fws.gov>  
"Gardiner, Dawn" <dawn\_gardiner@fws.gov>, Mary Orms <mary\_orms@fws.gov>, Mary Skoruppa <mary\_kay\_skoruppa@fws.gov>, Gretchen Nareff <gretchen\_nareff@fws.gov>, Pat Clements <pat\_clements@fws.gov>, Beau Hardegree <beau\_hardegree@fws.gov>, Chip Wood <chip\_wood@fws.gov>, Chad Stinson <chad\_stinson@fws.gov>, Chuck Ardizzone <chuck\_ardizzone@fws.gov>, David Hoth <david\_hoth@fws.gov>  
**CC:**  
**Subject:** Re: Border Area Guidance

They are growing out Texas ayenia on the NABA site.

Tim

Sent from my iPhone

On Feb 8, 2019, at 3:47 PM, Best, Chris <chris\_best@fws.gov> wrote:

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**"Best, Chris" <chris\_best@fws.gov>**

---

**From:** "Best, Chris" <chris\_best@fws.gov>  
**Sent:** Mon Feb 11 2019 07:22:36 GMT-0700 (MST)  
**To:** Tim Anderson <tim\_anderson@fws.gov>  
"Gardiner, Dawn" <dawn\_gardiner@fws.gov>, Mary Orms <mary\_orms@fws.gov>, Mary Skoruppa <mary\_kay\_skoruppa@fws.gov>, Gretchen Nareff <gretchen\_nareff@fws.gov>, Pat Clements <pat\_clements@fws.gov>, Beau Hardegree <beau\_hardegree@fws.gov>, Chip Wood <chip\_wood@fws.gov>, Chad Stinson <chad\_stinson@fws.gov>, Chuck Ardizzone <chuck\_ardizzone@fws.gov>, David Hoth <david\_hoth@fws.gov>  
**CC:**  
**Subject:** Re: Border Area Guidance

Tim -

Propagated plants and reintroduced plants don't count as natural populations under ESA.

The Real ID Act (2005) allows Homeland Security to override ESA anyway.

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10711 Burnet Rd., Suite 200  
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Tel: 512-490-0057 x 225  
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**Tim Anderson <tim\_anderson@fws.gov>**

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**From:** Tim Anderson <tim\_anderson@fws.gov>  
**Sent:** Mon Feb 11 2019 07:26:24 GMT-0700 (MST)  
**To:** "Best, Chris" <chris\_best@fws.gov>  
**CC:** "Gardiner, Dawn" <dawn\_gardiner@fws.gov>, Mary Orms <mary\_orms@fws.gov>, Mary Skoruppa <mary\_kay\_skoruppa@fws.gov>, Gretchen Nareff <gretchen\_nareff@fws.gov>, Pat Clements <pat\_clements@fws.gov>, Beau Hardegree <beau\_hardegree@fws.gov>, Chip Wood <chip\_wood@fws.gov>, Chad Stinson <chad\_stinson@fws.gov>, Chuck Ardizzone <chuck\_ardizzone@fws.gov>, David Hoth <david\_hoth@fws.gov>  
**Subject:** Re: Border Area Guidance

I understand. I just didn't want anyone to be unaware of our interest in a listed plant population (albeit a captively propagated one) in the area.

Holler if y'all have questions or I can help.  
 Tim

Sent from my iPhone

On Feb 11, 2019, at 8:22 AM, Best, Chris <[chris\\_best@fws.gov](mailto:chris_best@fws.gov)> wrote:

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**From:** [McDowell, Kelly](#)  
**To:** (b) (6), (b) (7)(C); [Range, Brent K](#)  
**Cc:** [Reyes, Ernesto](#); [Jess, Robert RJ](#); [Kimbrough, Monica](#)  
**Subject:** Border Gaps and Alignments  
**Date:** Friday, March 22, 2019 8:09:37 AM  
**Attachments:** [description of recommendations.docx](#)  
[Border Gaps and Alignments.kmz](#)  
[Border Corridors.kmz](#)  
[Gaps and realignments.xlsx](#)  
[Wildlife Corridors LRGV NWR.xlsx](#)

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Paul,

As requested we have provided the US Fish and Wildlife Services (Service) recommendations for gaps and alignments for your consideration. We appreciate the opportunity to provide input to this process. Our proposed recommendations are vital for the Service to continue to meet its conservation mission in South Texas.

We have provided KMZ files of recommended gaps, alignments and known wildlife corridors. We have provided two spreadsheets and a word file that briefly describes how we prioritized our recommendations.

--

Kelly McDowell  
Refuge Supervisor Texas Gulf Coast  
956-566-3664

**From:** [Huey, Howard E](#)  
**To:** [Mojica, Joseph](#); [Luckey, Weylan](#); [McDowell, Kelly](#)  
**Subject:** DHS Issues Waiver to Expedite New Border Wall Gates Construction Project in Rio Grande Valley | U.S. Customs and Border Protection  
**Date:** Tuesday, October 1, 2019 9:30:50 AM  
**Importance:** High

---

<https://www.cbp.gov/newsroom/national-media-release/dhs-issues-waiver-expedite-new-border-wall-gates-construction>

Howard Huey  
DOI/OLES

**From:** [Brown, Nancy](#)  
**To:** [McDowell, Kelly](#)  
**Subject:** Fwd: [EXTERNAL] Re: popular south Texas biodiversity hotspots to be spared wall construction  
**Date:** Thursday, February 14, 2019 9:05:46 AM

---

Kelly,  
FYI re. the chatter on the border wall funding situation.

----- Forwarded message -----

From: (b) (6) <(b) (6)>  
Date: Thu, Feb 14, 2019 at 9:54 AM  
Subject: [EXTERNAL] Re: popular south Texas biodiversity hotspots to be spared wall construction  
To: TXENTO <[TX-ENTO@listserv.uh.edu](mailto:TX-ENTO@listserv.uh.edu)>, TXBL <[TX-BUTTERFLY@listserv.uh.edu](mailto:TX-BUTTERFLY@listserv.uh.edu)>, AustinButterflies <[austinbutterflies@yahoo.com](mailto:austinbutterflies@yahoo.com)>  
Cc: Dplex <[Dplex-L@lists.ku.edu](mailto:Dplex-L@lists.ku.edu)>, Entomo-L <[ENTOMO-L@listserv.uoguelph.ca](mailto:ENTOMO-L@listserv.uoguelph.ca)>

before anyone gets too excited about the non-walled off popular south Texas biodiversity hot spots, note that most of the Lower Rio Grande Valley National Wildlife Refuge consists of a long series of tracts of habitat situated between the levee and the Rio Grande and so will likely be walled off. Almost all of the land north of the levee in Hidalgo and Cameron Counties has long since been converted to row crops or housing, so most of the remaining wildlife habitat in the valley is south of the levee...

see the remaining tracts or habitat along the Rio (shown in dark green) in this Google satellite map:

<https://goo.gl/maps/pmEF5A9gN8o>

see also the very good graphics concerning the description and proposed placement of the wall in this recent WaPo article.

Where new border barriers will be erected in the Rio Grande valley  
By Laris Karklis and Tim Meko - Feb. 10, 2019 - Washington Post  
<https://www.washingtonpost.com/graphics/2019/national/border-wall-construction/>?

Mike

On Thu, Feb 14, 2019 at 8:34 AM (b) (6) <(b) (6)> wrote:  
per the as yet unsigned U.S. budget deal:

=====

No FY19 or prior year funding may be used by physical barrier construction in:

- o Santa Ana [National Wildlife] Refuge
- o La Lomita Historical Park
- o Bentsen-Rio [Grande Valley] State Park
- o National Butterfly Center
- o Vista del Mar and points east

Yamiche Alcindor  
@PBS @NewsHour White House correspondent  
<https://twitter.com/Yamiche/status/1096021255772426240>  
6:20 AM - 14 Feb 2019

---

relevant text of the proposed bill here:  
<https://pbs.twimg.com/media/DzXve1bWkAAaobU.png:large>

Note, more butterfly spp. have recorded in the three southmost counties of Texas than in all of eastern North America combined.

(b) (6), Austin

---

Texas Entomology  
<http://texasento.net>

--

Nancy C. Brown  
Public Outreach Specialist  
Southwest Region, National Wildlife Refuge System  
U.S. Fish and Wildlife Service

2990 Richmond Avenue, Ste. 400  
Houston, Texas 77098  
Phone: (830) 220-4760

\*\*I telework on Tuesdays. If you need to reach me by phone, please use the cell number listed above.

[www.fws.gov/southwest/](http://www.fws.gov/southwest/)

*The mission of the U.S. Fish and Wildlife Service is, working with others, to conserve, protect, and enhance fish, wildlife and plants and their habitats for the continuing benefit of the American people.*

**From:** [Winton, Bryan](#)  
**To:** [McDowell, Kelly](#)  
**Subject:** Fwd: [EXTERNAL] RGV Border Wall Maps 6.27.19.pdf  
**Date:** Friday, July 5, 2019 7:02:03 AM  
**Attachments:** [ATT00001.htm](#)  
[RGV Border Wall Maps 6.27.19.pdf](#)  
**Importance:** High

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Haven't seen this information for Cameron or Starr Counties yet. Have heard on the news there is a 2 mo period CBP is taking public comments/feedback on proposed 90 miles in the 3 counties. I rec'd this info from Jimmy Stout, WMA manager. I asked him to share since we at the station here haven't received anything like this yet.

bryan

----- Forwarded message -----

**From:** **Jimmy Stout** <[Jimmy.Stout@tpwd.texas.gov](mailto:Jimmy.Stout@tpwd.texas.gov)>  
**Date:** Tue, Jul 2, 2019 at 3:59 PM  
**Subject:** [EXTERNAL] RGV Border Wall Maps 6.27.19.pdf  
**To:** Bryan Winton <[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)>

Maps sent with proposed levee/border wall project

--

Bryan R. Winton, Wildlife Refuge Manager  
Lower Rio Grande Valley National Wildlife Refuge  
3325 Green Jay Road, Alamo, Texas 78516  
(956) 784-7521 office; (956) 874-4304 cell  
[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)

**From:** [Ardizzone, Chuck](#)  
**To:** [Seth Willey](#); [Michael Porter](#)  
**Cc:** [Susan Jacobsen](#); [Dawn Gardiner](#); [Ernesto Reyes](#)  
**Subject:** Fwd: Boarder Wall Correspondence  
**Date:** Monday, July 15, 2019 12:59:42 PM  
**Attachments:** [20190715133338.pdf](#)

---

Seth,

we just received this letter from Customs and Border Protection, and wanted to bring it to your attention. I am not sure what the current guidance is in regards to Border wall correspondence. Is there any objections to our office working with Refuges to answer the questions in the letter?

**Chuck Ardizzone**

Project Leader  
Texas Coastal Ecological Services  
U.S. Fish & Wildlife Service  
17629 El Camino Real, Ste 211  
Houston, TX 77058  
W: (281) 286-8282 Ext 26506  
C: (713) 882-1912  
F: (281) 488-5882

----- Forwarded message -----

From: **Diaz, Anthony** <[anthony\\_diaz@fws.gov](mailto:anthony_diaz@fws.gov)>  
Date: Mon, Jul 15, 2019 at 1:44 PM  
Subject: Boarder Wall Correspondence  
To: Chuck Ardizzone <[chuck\\_ardizzone@fws.gov](mailto:chuck_ardizzone@fws.gov)>

I was instructed to send you a copy of this letter from Customs and Boarder concerning the border wall.

--

Respectfully Sent,  
Anthony Diaz  
Field Office Assistant  
US Fish and Wildlife Service  
4444 Corona Drive Suite 215  
Corpus Christi, Texas 78411-4300  
Office: 361-994-9005 ext. 26311

Direct Line: 361-225-7311

Cell: 281-667-6534

*“Some people spend an entire lifetime wondering if they made a difference in the world. But, the Marines don't have that problem.” - President Ronald Reagan*

Semper Fidelis

**From:** [Gardiner, Dawn](#)  
**To:** [Chuck Ardizzone](#)  
**Subject:** Fwd: Border Wall -- Steel versus Concrete (news report)  
**Date:** Wednesday, January 30, 2019 9:33:42 AM

---

----- Forwarded message -----

**From:** **Reyes, Ernesto** <[ernesto\\_reyes@fws.gov](mailto:ernesto_reyes@fws.gov)>  
**Date:** Tue, Jan 29, 2019 at 9:57 AM  
**Subject:** Fwd: Border Wall -- Steel versus Concrete (news report)  
**To:** Dawn Whitehead <[dawn\\_gardiner@fws.gov](mailto:dawn_gardiner@fws.gov)>, Laura delaGarza <[laura\\_delagarza@fws.gov](mailto:laura_delagarza@fws.gov)>

FYI

Ernesto Reyes  
U.S. Fish and Wildlife Service  
Alamo Ecological Service Sub-Office  
3325 Green Jay Rd  
Alamo, Texas 78516  
Tel:956-784-7560  
Fax:956-787-8338

----- Forwarded message -----

**From:** **Winton, Bryan** <[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)>  
**Date:** Wed, Jan 9, 2019 at 12:00 PM  
**Subject:** Border Wall -- Steel versus Concrete (news report)  
**To:** Rob Jess <[robert\\_jess@fws.gov](mailto:robert_jess@fws.gov)>, Sonny Perez <[sonny\\_perez@fws.gov](mailto:sonny_perez@fws.gov)>, Ernesto Reyes <[ernesto\\_reyes@fws.gov](mailto:ernesto_reyes@fws.gov)>

<https://www.eenews.net/climatewire/2019/01/09/stories/1060111331>

It will be interesting to see if and how this material switch affects the border wall project in the Valley, particularly between Penitas and Boca Chica. Concrete is obviously sufficient as a flood control system, since IBWC allowed it in Hidalgo county in 2008. Will be interesting to see if they determine that a steel wall is flood control sufficient as well. Would be great if they move the wall to the north side of the levee and build it out of steel same as they did in Cameron County (outside the floodplain). Would restore wildlife escape capabilities along the levee if they do that!

bryan

Bryan R. Winton, Wildlife Refuge Manager  
Lower Rio Grande Valley National Wildlife Refuge  
3325 Green Jay Road, Alamo, Texas 78516  
(956) 784-7521 office; (956) 874-4304 cell  
[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)

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**Dawn Gardiner**

**Assistant Field Supervisor**

**Texas Coastal Ecological Services Field Office**

**U.S. Fish and Wildlife Service**

**4444 Corona Drive, Suite 215**

**Corpus Christi, TX**

**(361) 994-9005 x26310**

**(361) 225-7310 direct line**

**[dawn\\_gardiner@fws.gov](mailto:dawn_gardiner@fws.gov)**

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**From:** [Mojica, Joseph](#)  
**Bcc:** [McDowell, Kelly](#)  
**Subject:** Fwd: Contract Awards for New Levee Wall and Border Wall Gates in the Rio Grande Valley | U.S. Customs and Border Protection  
**Date:** Monday, August 12, 2019 10:12:42 AM

---

FYSA  
Joe M.



**Chief Joseph Mojica**  
U.S. Fish and Wildlife Service  
Southwest Region  
Division of Refuge Law Enforcement  
500 Gold Ave SW/P.O Box 1306  
Albuquerque, NM 87103  
Off: (505) 248-6816  
Fax: (505) 248-6422

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----- Forwarded message -----

**From:** Howard Huey <[howard\\_huey@ios.doi.gov](mailto:howard_huey@ios.doi.gov)>  
**Date:** Thu, Aug 8, 2019 at 9:30 AM  
**Subject:** Contract Awards for New Levee Wall and Border Wall Gates in the Rio Grande Valley | U.S. Customs and Border Protection  
**To:** Joseph Mojica <[Joseph\\_Mojica@fws.gov](mailto:Joseph_Mojica@fws.gov)>, <[weylan\\_luckey@fws.gov](mailto:weylan_luckey@fws.gov)>, <[iriz\\_elizondo@fws.gov](mailto:iriz_elizondo@fws.gov)>

<https://www.cbp.gov/newsroom/national-media-release/contract-awards-new-levee-wall-and-border-wall-gates-rio-grande>

Howard Huey  
DOI/OLES

**From:** [Mojica, Joseph](#)  
**To:** [McDowell, Kelly](#)  
**Subject:** Fwd: Media Inquiry - Texas Border Wall Waived Lands  
**Date:** Wednesday, May 15, 2019 10:56:03 AM

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FYSA

Joe M.

◇◇◇◇◇◇◇◇◇◇

Chief Joseph Mojica  
U.S. Fish & Wildlife Service - SW Region  
Division of Refuge Law Enforcement  
500 Gold Ave SW/P.O. Box 1306  
Albuquerque, New Mexico 87103  
Office (505)248-6816  
Fax (505)248-6422

Begin forwarded message:

**From:** "Johnston, Richard" <[richard\\_a\\_johnston@fws.gov](mailto:richard_a_johnston@fws.gov)>  
**Date:** May 15, 2019 at 10:39:30 MDT  
**To:** "Ullenberg, Beth" <[beth\\_ullenberg@fws.gov](mailto:beth_ullenberg@fws.gov)>  
**Cc:** Joseph Mojica <[joseph\\_mojica@fws.gov](mailto:joseph_mojica@fws.gov)>, Aislinn Maestas <[aislinn\\_maestas@fws.gov](mailto:aislinn_maestas@fws.gov)>  
**Subject:** Re: Media Inquiry - Texas Border Wall Waived Lands

Thank you for sending these to me, much appreciated for the consideration!

These response are right on point.

Thanks again for asking!

On Wed, May 15, 2019 at 12:27 PM Ullenberg, Beth <[beth\\_ullenberg@fws.gov](mailto:beth_ullenberg@fws.gov)> wrote:

Hey Rich-

We received two questions from a reporter regarding FWS access to waived lands on Lower Rio Grande Valley NWR in Texas. We wanted to run our draft answers by you first before we run them further up the chain to get your input.

1. Is FWS currently conducting its normal operations at tracts slated for CBP border infrastructure? *No, we are following established protocols which do restrict and step back activities in waived construction areas.*
2. Are FWS staff still allowed to enter tracts with ongoing or pending construction? *Yes, following protocols for approval which include notifications to appropriate supervisors and Customs and Border Patrol officials. These*

*protocols were primarily established to keep our staff safe in construction areas and where regulations have been waived.*

Thoughts?

Beth Ullenberg, External Affairs  
U.S. Fish and Wildlife Service, Southwest Region  
P.O. Box 1306  
Dennis Chavez Federal Building  
Albuquerque, NM 87103  
505-248-6638 office  
505-414-3815 mobile

"The mission of the U.S. Fish and Wildlife Service is, working with others, to conserve, protect, and enhance fish, wildlife and plants and their habitats for the continuing benefit of the American people"

--

***Richard A. Johnston***

Chief of Law Enforcement  
National Wildlife Refuge System  
U.S. Fish & Wildlife Service  
(703) 358-2553

***Protecting America's Wildlife and Those Who Enjoy It Since 1903***

## Conversation Contents

Fwd: Until Further Notice

Attachments:

/3. Fwd: Until Further Notice/2.1 image003.jpg

"Reyes, Ernesto" <ernesto\_reyes@fws.gov>

---

**From:** "Reyes, Ernesto" <ernesto\_reyes@fws.gov>  
**Sent:** Fri Feb 08 2019 13:35:47 GMT-0700 (MST)  
**To:** "Ardizzone, Chuck" <chuck\_ardizzone@fws.gov>, Dawn Whitehead <dawn\_gardiner@fws.gov>  
**Subject:** Fwd: Until Further Notice

FYI

Ernesto Reyes  
U.S. Fish and Wildlife Service  
Alamo Ecological Service Sub-Office  
3325 Green Jay Rd  
Alamo, Texas 78516  
Tel:956-784-7560  
Fax:956-787-8338

----- Forwarded message -----

**From:** Jess, Robert <robert\_jess@fws.gov>  
**Date:** Fri, Feb 8, 2019 at 1:15 PM  
**Subject:** Until Further Notice  
**To:** Christopher Quezada <christopher\_quezada@fws.gov>, James Stilley <james\_stilley@fws.gov>, Jesse Rodriguez <jesse\_rodriguez@fws.gov>, Joe DArrigo <joe\_darrigo@fws.gov>, Kevin Chajka <kevin\_chajka@fws.gov>, M kael Lerma <mikael\_lerma@fws.gov>, Miranda Butler-Valverde <miranda\_butler-valverde@fws.gov>, Alejandro Rodriguez <alejandro\_rodriguez@fws.gov>, Alex Garcia <alex\_garcia@fws.gov>, Alfredo Salinas <alfredo\_salinas@fws.gov>, Annalily Lopez <annalily\_lopez@fws.gov>, Boyd Blihovde <boyd\_blihovde@fws.gov>, Bryan Winton <bryan\_winton@fws.gov>, Charles Walton <charles\_walton@fws.gov>, Chris Perez <chris\_perez@fws.gov>, Christian Delgado <christian\_delgado@fws.gov>, Christine Donald <christine\_donald@fws.gov>, Cynthia Sandoval <cynthia\_sandoval@fws.gov>, Dina Diaz <dina\_diaz@fws.gov>, Donald Devriendt <donald\_devriendt@fws.gov>, Eduardo Plasencia <eduardo\_plasencia@fws.gov>, Ellissa Martinez <ellissa\_martinez@fws.gov>, Eric Verderber <eric\_verderber@fws.gov>, Ernesto Reyes <ernesto\_reyes@fws.gov>, Eusebio Rodriguez <eusebio\_rodriguez@fws.gov>, Florentino Caldera <florentino\_caldera@fws.gov>, George Garcia <george\_garcia@fws.gov>, Gisela Chapa <gisela\_chapa@fws.gov>, Heidi Stream <heidi\_stream@fws.gov>, Hilary Swarts <hilary\_swarts@fws.gov>, Imer DeLaGarza <imer\_delagarza@fws.gov>, Iriz Elizondo <iriz\_elizondo@fws.gov>, Ismael Lerma <ismael\_lerma@fws.gov>, Jerry Longoria <gerardo\_longoria@fws.gov>, Jim Forward <jim\_forward@fws.gov>, Jonathan Moczygamba <jonathan\_moczygamba@fws.gov>, Josue Lopez <josue\_lopez@fws.gov>, Juan Long <juan\_long@fws.gov>, Juan Rodriguez <juan\_rodriguez@fws.gov>, Kathryn Shupe <kathryn\_shupe@fws.gov>, Kimberly Wahl <kimberly\_wahl@fws.gov>, Laura delaGarza <laura\_delagarza@fws.gov>, Lety Handy <lety\_handy@fws.gov>, (b) (6) <(b) (6)>, Mitch Sternberg <mitch\_sternberg@fws.gov>, Noe Garza <noe\_garza@fws.gov>, Rene Ruiz <rene\_ruiz@fws.gov>, Reynaldo Navarro <reynaldo\_navarro@fws.gov>, Robert Jess <robert\_jess@fws.gov>, Romeo Garcia <romeo\_garcia@fws.gov>, (b) (6) <(b) (6)>, Roy Reyna <roy\_reyna@fws.gov>, (b) (6) <(b) (6)>, Scot Edler <scot\_edler@fws.gov>, Scott Affeldt <scott\_affeldt@fws.gov>, Sergio Vasquez <sergio\_vasquez@fws.gov>, Sonny Perez <sonny\_perez@fws.gov>, Zeno Arevalo <zeno\_arevalo@fws.gov>  
**Cc:** Aislinn Maestas <aislinn\_maestas@fws.gov>, Beth Ullenberg <beth\_ullenberg@fws.gov>, Mary Elder <mary\_elder@fws.gov>, Gray, Lesli <lesli\_gray@fws.gov>, Kelly McDowell <kelly\_mcdowell@fws.gov>, Joseph Mojica <joseph\_mojica@fws.gov>, Weylan Luckey <weylan\_luckey@fws.gov>, James Britt <james\_britt@fws.gov>

To All,

This week, I have spoken to several of you in person regarding this matter but I want to ensure that all on the Complex understand the following:

Until further notice, and while on duty, no staff of STRC (including FWO's and Fire ) is permitted to be in Zone 8, an area that includes the La Parida Banco, El Morrillo Banco (BP horse stables) tracts of the LRGV, Bentsen State Park and the respective levee adjacent and near these tracts including the North American Butterfly Center (NABA). Due to circumstances involving the upcoming construction of the fence (wall, etc.), possible protests and the significant national focus that is being placed on these sites, it is prudent that FWS personnel avoid the identified areas.

Also, if you are confronted by media, the public or any non STRC employee/volunteer regarding the border fence, Border Patrol or any issue associated with border related activities, please re-direct them to me as soon as possible. A name/phone number and who they represent (even if they represent themselves) is requested- it's important that we maintain a single point of communication for the refuge. For these inquiries, I will forward to the appropriate folks in our Regional Office who will handle Q&A's for us.

Though our opinions are very important, I would suggest that while in uniform and in the performance of your duties, to avoid any external discussion of immigration, border walls, human and drug smuggling.

We are very fortunate that decision makers at higher levels have recently taken on the burdens of these difficult and contentious issues. Both Sonny and I will be actively engaged to ensure that local resources are protected and that concerns of all staff are heard.

If you have questions, please take the time and come talk to me. Our goals are to keep you informed, to keep you safe and to assist you through these situations.

All the best,  
rob

---  
robert jess  
project leader  
south texas refuge complex  
alamo, texas

"Life's biggest tragedy is that we get old too soon and wise too late" Benjamin Franklin

**"Gardiner, Dawn" <dawn\_gardiner@fws.gov>**

---

**From:** "Gardiner, Dawn" <dawn\_gardiner@fws.gov>  
**Sent:** Fri Feb 08 2019 13:46:45 GMT-0700 (MST)  
**To:** Jennifer Smith-Castro <jennifer\_smith-castro@fws.gov>  
**Subject:** Fwd: Until Further Notice  
**Attachments:** image003.jpg

The fun begins

----- Forwarded message -----

**From:** Reyes, Ernesto <ernesto\_reyes@fws.gov>  
**Date:** Fri, Feb 8, 2019 at 2:35 PM  
**Subject:** Fwd: Until Further Notice  
**To:** Ardizzone, Chuck <chuck\_ardizzone@fws.gov>, Dawn Whitehead <dawn\_gardiner@fws.gov>

FYI

Ernesto Reyes  
U.S. Fish and Wildlife Service  
Alamo Ecological Service Sub-Office  
3325 Green Jay Rd  
Alamo, Texas 78516  
Tel:956-784-7560  
Fax:956-787-8338

----- Forwarded message -----

**From:** Jess, Robert <robert\_jess@fws.gov>  
**Date:** Fri, Feb 8, 2019 at 1:15 PM  
**Subject:** Until Further Notice  
**To:** Christopher Quezada <christopher\_quezada@fws.gov>, James Stilley <james\_stilley@fws.gov>, Jesse Rodriguez <jesse\_rodriguez@fws.gov>, Joe DArrigo <joe\_darrigo@fws.gov>, Kevin Chajka <kevin\_chajka@fws.gov>, M kael Lerma <mikael\_lerma@fws.gov>, Miranda Butler-Valverde <miranda\_butler-valverde@fws.gov>, Alejandro Rodriguez <alejandro\_rodriguez@fws.gov>, Alex Garcia <alex\_garcia@fws.gov>, Alfredo Salinas <alfredo\_salinas@fws.gov>, Annality Lopez <annality\_lopez@fws.gov>, Boyd Blihovde <boyd\_blihovde@fws.gov>, Bryan Winton <bryan\_winton@fws.gov>, Charles Walton <charles\_walton@fws.gov>, Chris Perez <chris\_perez@fws.gov>, Christian Delgado <christian\_delgado@fws.gov>, Christine Donald <christine\_donald@fws.gov>, Cynthia Sandoval <cynthia\_sandoval@fws.gov>, Dina Diaz <dina\_diaz@fws.gov>, Donald Devriendt <donald\_devriendt@fws.gov>, Eduardo Plasencia <eduardo\_plasencia@fws.gov>, Ellissa Martinez <ellissa\_martinez@fws.gov>, Eric Verderber <eric\_verderber@fws.gov>, Ernesto Reyes <ernesto\_reyes@fws.gov>, Eusebio Rodriguez <eusebio\_rodriguez@fws.gov>, Florentino Caldera <florentino\_caldera@fws.gov>, George Garcia <george\_garcia@fws.gov>, Gisela Chapa <gisela\_chapa@fws.gov>, Heidi Stream <heidi\_stream@fws.gov>, Hilary Swarts <hilary\_swarts@fws.gov>, Imer DeLaGarza <imer\_delagarza@fws.gov>, Iriz Elizondo <iriz\_elizondo@fws.gov>, Ismael Lerma <ismael\_lerma@fws.gov>, Jerry Longoria <gerardo\_longoria@fws.gov>, Jim Forward <jim\_forward@fws.gov>, Jonathan Moczygamba <jonathan\_moczygamba@fws.gov>, Josue Lopez <josue\_lopez@fws.gov>, Juan Long <juan\_long@fws.gov>, Juan Rodriguez <juan\_rodriguez@fws.gov>, (b) (6) <(b) (6)>, Kathryn Shupe <kathryn\_shupe@fws.gov>, Kimberly Wahl <kimberly\_wahl@fws.gov>, Laura de la Garza <laura\_delagarza@fws.gov>, Lety Handy <lety\_handy@fws.gov>, (b) (6) <(b) (6)>, Mitch Sternberg <mitch\_sternberg@fws.gov>, Noe Garza <noe\_garza@fws.gov>, Rene Ruiz <rene\_ruiz@fws.gov>, Reynaldo Navarro <reynaldo\_navarro@fws.gov>, Robert Jess <robert\_jess@fws.gov>, Romeo Garcia <romeo\_garcia@fws.gov>, (b) (6) <(b) (6)>, Roy Reyna <roy\_revna@fws.gov>, (b) (6) <(b) (6)>, Scot Edler <scot\_edler@fws.gov>, Scott Affeldt <scott\_affeldt@fws.gov>, Sergio Vasquez <sergio\_vasquez@fws.gov>, Sonny Perez <sonny\_perez@fws.gov>, Zeno Arevalo <zeno\_arevalo@fws.gov>  
**Cc:** Aislinn Maestas <aislinn\_maestas@fws.gov>, Beth Ullenberg <beth\_ullenberg@fws.gov>, Mary Elder <mary\_elder@fws.gov>, Gray, Leslie <lesli\_gray@fws.gov>, Kelly McDowell <kelly\_mcdowell@fws.gov>, Joseph Mojica <joseph\_mojica@fws.gov>, Weylan Luckey <weylan\_luckey@fws.gov>, James Britt <james\_britt@fws.gov>

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rob

--  
robert jess  
project leader  
south texas refuge complex  
alamo, texas

"Life's biggest tragedy is that we get old too soon and wise too late" Benjamin Franklin

--  
--



**Dawn Gardiner**  
Assistant Field Supervisor  
Texas Coastal Ecological Services Field Office  
U.S. Fish and Wildlife Service  
4444 Corona Drive, Suite 215  
Corpus Christi, TX

(361) 994-9005 x26310  
(361) 225-7310 direct line  
[dawn\\_gardiner@fws.gov](mailto:dawn_gardiner@fws.gov)

*Working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats in South Texas for the continuing benefit of the American people.*

**From:** [Winton, Bryan](#)  
**To:** [McDowell, Kelly](#)  
**Cc:** [Sternberg, Mitch](#)  
**Subject:** Information/ Citations for Border Impacts Correspondence  
**Date:** Tuesday, August 6, 2019 7:29:43 AM  
**Attachments:** [sir20165078.pdf](#)  
**Importance:** High

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The USGS publication I worked on with Dr. D.M. Leslie in 2016 has a number of appropriate citations to use for habitat fragmentation, barriers to wildlife movement, and biogeographical comprehensive assessment of risk to species (n+313). A section entitled, Border Issues and Homeland Security beginning on Page 64 in particular. The last 3 paragraphs in this section (on Pages 65-66) have 11 citations, some of which may be repeat, but includes Tim Brush, local professor; and a Lasky, 2011 who evaluated impacts to many species caused from barriers and created openings in habitat. The proper written citations for these 11 are in the references section of this publication.

I also spoke to Mitch yesterday and he has a citation for the bobcat movement study he did, and referenced another citation he thought would be of interest. Hopefully he can get you those today if he didn't send them already.

Attached is the link to this document (and an attached PDF), although hopefully you still have a copy I provided you a couple years back.

<http://dx.doi.org/10.3133/sir20165078>

--

Bryan R. Winton, Wildlife Refuge Manager  
Lower Rio Grande Valley National Wildlife Refuge  
3325 Green Jay Road, Alamo, Texas 78516  
(956) 784-7521 office; (956) 874-4304 cell  
[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)

**From:** [Winton, Bryan](#)  
**To:** [Jess, Robert RJ](#); [Perez, Sonny](#); [Edler, Scot](#); [DeLaGarza, Imer](#); [Perez, Chris](#); [Donald, Christine](#); [Chapa, Gisela](#); [Blihovde, Boyd](#); [DArrigo, Joe](#); [Devriendt, Donald J](#); [Elizondo, Iriz](#); [Diaz, Dina](#); [McDowell, Kelly](#); [Gardiner, Dawn](#)  
**Cc:** (b) (6); (b) (6); (b) (6); [Friends of the Wildlife Corridor](#); (b) (6); (b) (6); (b) (6); (b) (6); (b) (6); (b) (6); (b) (6)  
**Subject:** LRGV NWR Weekly Accomplishment Reports (December 2018 - present)  
**Date:** Tuesday, February 12, 2019 3:14:08 PM  
**Attachments:** [11.19-23.2018.docx](#)  
[11.26-12.1.2018.docx](#)  
[12.3-7.2018.docx](#)  
[12.10-15.2018.docx](#)  
[12.17-21.2018.docx](#)  
[12.24-30.2018.docx](#)  
[12.31-Jan 6..2018 \(Autosaved\).docx](#)  
[Jan 7-13..2019.docx](#)  
[Jan 14-20..2019.docx](#)  
[Jan 21-27..2019.docx](#)  
[Jan 28-Feb 3..2019.docx](#)  
[Feb 4-10..2019.docx](#)  
**Importance:** High

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My apologies for getting out of the weekly groove regarding LRGV Weekly Accomplishment Reports. This should catch me up with accomplishments made by Chris Perez, Imer Dela Garza, Scot Edler, and myself for the past couple of months.

For those with the Friends (or other Staff) that have questions or need clarification, do not hesitate to email me back for clarification on anything.

Thank you!

Sincerely,

--

Bryan R. Winton, Wildlife Refuge Manager  
Lower Rio Grande Valley National Wildlife Refuge  
3325 Green Jay Road, Alamo, Texas 78516  
(956) 784-7521 office; (956) 874-4304 cell  
[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)



**From:** McDowell, Kelly  
**To:** Mojica, Joseph  
**Subject:** Re: [EXTERNAL] Border Wall Table Top Invitation  
**Date:** Monday, February 11, 2019 7:08:08 AM

Joe,

Rob Jess has been invited to this exercise and I have approved his attendance.

Kelly

On Sat, Feb 9, 2019 at 11:17 AM Joseph Mojica <joseph\_mojica@fws.gov> wrote:  
FYI. Tabletop exercise for DHs plan.

Joe M.

◇◇◇◇◇◇◇◇◇◇

Chief Joseph Mojica  
U.S. Fish & Wildlife Service - SW Region  
Division of Refuge Law Enforcement  
500 Gold Ave SW/P.O. Box 1306  
Albuquerque, New Mexico 87103  
Office (505)248-6816  
Fax (505)248-6422

Begin forwarded message:

**From:** "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>  
**Date:** February 8, 2019 at 5:30:45 PM CST  
**To:** "sheriff.guerra@hidalgoso.org" <sheriff.guerra@hidalgoso.org>, "ssalinas0219@missionpolice.org" <ssalinas0219@missionpolice.org>, "royden.garcia@hidalgoso.org" <royden.garcia@hidalgoso.org>, "homero.salazar@hidalgoso.org" <homero.salazar@hidalgoso.org>, "corina.villanueva@hidalgoso.org" <corina.villanueva@hidalgoso.org>, "larry.gallardo@co.hidalgo.tx.us" <larry.gallardo@co.hidalgo.tx.us>, "javier.rodriguez@co.hidalgo.tx.us" <javier.rodriguez@co.hidalgo.tx.us>, "chiefrdominguez@missionpolice.org" <chiefrdominguez@missionpolice.org>, James Dunks <James.Dunks@tpwd.texas.gov>, "jose.rodrigueziii@dps.texas.gov" <jose.rodrigueziii@dps.texas.gov>, "Melba.Saenz@dps.texas.gov" <Melba.Saenz@dps.texas.gov>, "luis.canales@tpwd.texas.gov" <luis.canales@tpwd.texas.gov>, "juang.hernandez@dps.tx.gov" <juang.hernandez@dps.tx.gov>, "Jess, Robert" <robert\_jess@fws.gov>, "Luckey, Weylan" <weylan\_luckey@fws.gov>, "Iriz Elizondo" <iriz\_elizondo@fws.gov>, "asepulveda@palviewpd.us" <asepulveda@palviewpd.us>, "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>, "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>, "VALLEJO, FRANCISCO" <(b) (6), (b) (7)(C)>, "ALANIZ, (b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>, "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>, "Villarreal, Jose" <(b) (6), (b) (7)(C)>, "Jose.Villarreal@dps.texas.gov", MCS PAIC <MCSPAIC@cbp.dhs.gov>, RGV WALL PDT <RGVWPDT@dsa.dhs.gov>, RGV OPS SOSs <RGVOPS-SOSs@cbp.dhs.gov>, RGV SOD PAIC-DPAIC <RGVSODPAIC-DPAIC@cbp.dhs.gov>, "(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)>  
**Subject:** [EXTERNAL] Border Wall Table Top Invitation

Good Afternoon ALL,

Border Barrier Construction Incident Response Table Top Planning									
<p><b>Purpose:</b> RGV Sector Border Patrol has drafted an operational plan outlining, resources, capabilities, points of contact, roles and responsibilities. We would like to invite you to participate in a table top exercise to evaluate and update the plan according to your input.</p> <p><b>Frequency:</b> On February 11, 2019 at 4:00 p.m. <b>Duration:</b> Approx 90 minutes <b>Location:</b> La Parida Banco on the levee (26.1877, -98.3935) <b>Lead:</b> (A) Assistant Chief Patrol Agent (b) (6), (b) (7)(C) / Patrol Agent in Charge (b) (6), (b) (7)(C)</p> <p><b>Attendees:</b> RGV Sector Staff, MCS Leadership, MCS Intelligence and Operational Planning Team, Texas Department of Public Safety (THP), Texas Parks and Wildlife (TPWD), Texas State Park Police, Hidalgo County Sheriff's Office, Mission Police Department, Hidalgo County Constable's Office Precinct #2,3,4</p>	<p><b>Proposed Agenda</b></p> <table><tr><td>Introduction (5 min)</td><td>(b) (6), (b) (7)(C)</td></tr><tr><td>Scope of Work (10 min)</td><td>(b) (6), (b) (7)(C)</td></tr><tr><td>Operational Plan (20 min)</td><td>(b) (6), (b) (7)(C) or Designee)</td></tr><tr><td>Feedback/ Comments (40 min)</td><td>(Open Discussion)</td></tr></table>	Introduction (5 min)	(b) (6), (b) (7)(C)	Scope of Work (10 min)	(b) (6), (b) (7)(C)	Operational Plan (20 min)	(b) (6), (b) (7)(C) or Designee)	Feedback/ Comments (40 min)	(Open Discussion)
Introduction (5 min)	(b) (6), (b) (7)(C)								
Scope of Work (10 min)	(b) (6), (b) (7)(C)								
Operational Plan (20 min)	(b) (6), (b) (7)(C) or Designee)								
Feedback/ Comments (40 min)	(Open Discussion)								
<p><b>Inputs:</b> ❖ State and local capabilities and resources</p>	<p><b>Outputs:</b> ❖ Operation Plan ❖ Agency Comprehension ❖ Amalgamation of Partner Cooperation</p>								



--  
Kelly McDowell  
Refuge Supervisor Texas Gulf Coast  
956-566-3664

**From:** [McDowell, Kelly](#)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** [Range, Brent K](#)  
**Subject:** Re: [EXTERNAL] FW: RGV 04 - RFI 40 - Review Request  
**Date:** Monday, November 18, 2019 8:59:02 AM

---

Paul,

Today is good except 11:30-1:30 CST and Friday at your convenience!

Thanks

Kelly

On Thu, Nov 14, 2019 at 10:40 PM (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)> wrote:

Resending the below email. I got kicked back to me.

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Thursday, November 14, 2019 11:28 PM  
**To:** Kelly McDowell <[Kelly\\_McDowell@fws.gov](mailto:Kelly_McDowell@fws.gov)>; Range, Brent <[brent\\_range@ios.doi.gov](mailto:brent_range@ios.doi.gov)>  
**Subject:** FW: RGV 04 - RFI 40 - Review Request

Kelly – When you have a moment, can we please discuss the one of the animal openings that were planned. See emails below.

Thank you

---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Sent:** Thursday, November 14, 2019 12:05 PM  
**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Cc:** RGV WALL TEAM <[RGVWALLTEAM@cbp.dhs.gov](mailto:RGVWALLTEAM@cbp.dhs.gov)>  
**Subject:** RE: RGV 04 - RFI 40 - Review Request

Paul,

We got photos taken from the site. Can we talk with Texas wildlife about not having the cat opening in the wall? I think once we clear this area out and begin work and operations, the cats will move away from here. They may get water, but the wall ends @ 600 meters from this spot and it provides an easier crossing.

Thank you

Brad

(b) (6), (b) (7)(C)

Contractor – LMI

Project Manager RGV 02/03/04

DHS/CBP/USBP/PMOD

Mobile: (b) (6), (b) (7)(C)

CBP Email: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

**Sent:** Tuesday, November 12, 2019 10:06 PM

**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C)

<(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C)

<(b) (6), (b) (7)(C)>

**Cc:** RGV WALL TEAM <[RGVWALLTEAM@cbp.dhs.gov](mailto:RGVWALLTEAM@cbp.dhs.gov)>

**Subject:** RE: RGV 04 - RFI 40 - Review Request

Agree, we need to look at a map. I recall there is a natural drainage where we had planned the animal opening since they are likely using the natural drainage as their path. If the design will include some sort of grate to allow water to continue to flow through, then maybe the animal opening should be put into the grate?

---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

**Sent:** Tuesday, November 12, 2019 6:56 PM

**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C)  
<(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C)  
<(b) (6), (b) (7)(C)>

**Cc:** RGV WALL TEAM <[RGVWALLTEAM@cbp.dhs.gov](mailto:RGVWALLTEAM@cbp.dhs.gov)>

**Subject:** Re: RGV 04 - RFI 40 - Review Request

Brad,

Is there a gate at the top of the ramp as well? How would we cross the drainage ditch?  
Would we have to build a bridge? If so sounds costly? Maybe we can have a call on this  
tomorrow morning to further explain. Let me know. Thanks!

Get [Outlook](#) for iOS

(b) (6), (b) (7)(C)

Special Operations Supervisor

RGV Wall Project Delivery Team

GC-9562509513

---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

**Sent:** Tuesday, November 12, 2019 4:35:21 PM

**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C)  
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If moving to the south, cats would have to walk down the wall to the ramp or jump. If going north, they can go to the gate or end.

Thoughts?

Brad

(b) (6), (b) (7)(C)

Contractor – LMI

Project Manager RGV 02/03/04

DHS/CBP/USBP/PMOD

Mobile: (b) (6), (b) (7)(C)

CBP Email: (b) (6), (b) (7)(C)

-----Original Message-----

From: Navarro, Ramon F CIV USARMY CESWG (USA) <(b) (6), (b) (7)(C)>

Sent: Tuesday, November 12, 2019 2:42 PM

To: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

Cc: Schwarzer, Carolee L 1LT SWG <(b) (6), (b) (7)(C)>; Brown, Rhonda G

CIV USARMY CESWG (USA) <(b) (6), (b) (7)(C)>

Subject: FW: RGV 04 - RFI 40 - Review Request

Hello Brad,

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Below is a description / history behind the RFI and I have also attached the RFI for reference.

Could you please confirm if this change is acceptable so I may reply back to the contractor?

Thank you,

Ramon F. Navarro  
Project Engineer  
Galveston District, USACE  
Border Infrastructure Resident Office  
Work Cell: (b) (6), (b) (7)(C)

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From: Navarro, Ramon F CIV USARMY CESWG (USA)  
Sent: Thursday, October 31, 2019 3:49 PM  
To: Brown, Rhonda G CIV USARMY CESWG (USA) <(b) (6), (b) (7)(C)>  
Cc: Schwarzer, Carolee L 1LT SWG <(b) (6), (b) (7)(C)>  
Subject: RFI 40 - Review Request

Hello Rhonda,

Attached is RFI #40 the KTR submitted this afternoon.

In this RFI, the KTR states during last weeks meeting it was suggested to straighten out the patrol road on Base 1 from STA 114+50 to STA 120+00.

The issue is that by doing this, the road would now cross an existing drainage ditch and would impact the cat/wildlife corridor.

This will be a change order if direct the KTR to proceed down this path.

Could you send this over to Mr. Snow so we can get CBP's concurrence in writing?

Thank you,

Ramon N.

--

Kelly McDowell  
Refuge Supervisor Texas Gulf Coast  
956-566-3664

**From:** [McDowell, Kelly](#)  
**To:** (b) (6), (b) (7)(C)  
**Subject:** Re: [EXTERNAL] Maps for Cameron County FWS Tracts  
**Date:** Tuesday, February 19, 2019 7:37:31 AM

---

Paul,

I have a new set of maps I will set up for printing this week for all counties.

Thanks

Kelly

On Fri, Feb 15, 2019 at 3:53 PM (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)> wrote:

Kelly – You had previously sent me a set of maps for the FWS tracts in Starr and Hidalgo counties, do you have a similar set for Cameron County that you can share?

Thank you,

(b) (6), (b) (7)(C)

Border Wall Program Management Office

United States Border Patrol

Desk Phone: (b) (6), (b) (7)(C)

Cell Phone: (b) (6), (b) (7)(C)

--

Kelly McDowell  
Refuge Supervisor Texas Gulf Coast  
956-566-3664

**From:** [McDowell, Kelly](#)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C); (b) (6), (b) (7)(C); (b) (6), (b) (7)(C); [Range, Brent K](#); [RGV WALL TEAM](#)  
**Subject:** Re: [EXTERNAL] RE: RGV 04 - RFI 40 - Review Request  
**Date:** Tuesday, November 19, 2019 9:18:00 AM

---

Paul, Brad and Tim

Friday Anytime but 10-11Am CST works for me right now!

Kelly

Sent from my iPhone

On Nov 19, 2019, at 8:56 AM, (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)> wrote:

Brad and Tim – I'm including Kelly McDowell from FWS and Brent Range from DOI on this email. Kelly manages the refuges in Texas and provided the locations for the animal openings. Would you have time today or in the next day to talk with Kelly about the revised design for this area? He will likely have some suggestions/recommendations on the animal opening. I provided Kelly the photos of the area.

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**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Cc:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; RGV WALL TEAM <[RGVWALLTEAM@cbp.dhs.gov](mailto:RGVWALLTEAM@cbp.dhs.gov)>  
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Thanks,

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**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Cc:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; RGV WALL TEAM <[RGVWALLTEAM@cbp.dhs.gov](mailto:RGVWALLTEAM@cbp.dhs.gov)>  
**Subject:** Re: RGV 04 - RFI 40 - Review Request

Awesome Jason.

Thank you!

Brad

RGV 02/03/04 PM

(b) (6), (b) (7)(C)

Sent from my iPhone

On Nov 13, 2019, at 7:09 AM, (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)> wrote:

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Respectfully,

<image001.png>

---

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**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>;  
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<(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C)  
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(b) (6), (b) (7)(C)

Contractor – LMI

Project Manager RGV 02/03/04

DHS/CBP/USBP/PMOD

Mobile: (b) (6), (b) (7)(C)

CBP Email: (b) (6), (b) (7)(C)

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**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>;

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Get [Outlook](#) for iOS

(b) (6), (b) (7)(C)

Special Operations Supervisor

RGV Wall Project Delivery Team

GC-9562509513

---

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**(b) (6), (b) (7)(C)**

Contractor – LMI

Project Manager RGV 02/03/04

DHS/CBP/USBP/PMOD

Mobile: **(b) (6), (b) (7)(C)**

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Cc: Schwarzer, Carolee L 1LT SWG

<**(b) (6), (b) (7)(C)**>; Brown, Rhonda G CIV

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Sent: Thursday, October 31, 2019 3:49 PM

To: Brown, Rhonda G CIV USARMY CESWG (USA)

<(b) (6), (b) (7)(C)>

Cc: Schwarzer, Carolee L 1LT SWG

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**From:** [McDowell, Kelly](#)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C); (b) (6), (b) (7)(C); (b) (6), (b) (7)(C); [Range, Brent K](#); (b) (6), (b) (7)(C); [RGV WALL TEAM](#)  
**Subject:** Re: [EXTERNAL] RE: RGV 04 - RFI 40 - Review Request  
**Date:** Friday, November 22, 2019 8:38:14 AM

---

All,

Confirming call will be at 2:30 MST today. I also have a question want to confirm the location of proposed discussion. It took us awhile to determine what we think the location to be on the north side of the causway north of the tract we call Cottom south of McAllen Texas?? If one of you could call me to confirm I will be better prepared to discuss (Kelly 956-566-3664). Paul if there is time I was briefed by staff in South Texas on several other issues coming up we should discuss.

Thanks

Kelly

On Wed, Nov 20, 2019 at 9:54 PM (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)> wrote:

All – I know this is late on Friday so please let me know if this still works.

Thank you

---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Sent:** Wednesday, November 20, 2019 1:12 PM  
**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; Kelly McDowell <[kelly\\_mcdowell@fws.gov](mailto:kelly_mcdowell@fws.gov)>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Cc:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; Range, Brent <[brent\\_range@ios.doi.gov](mailto:brent_range@ios.doi.gov)>; RGV WALL TEAM <[RGVWALLTEAM@cbp.dhs.gov](mailto:RGVWALLTEAM@cbp.dhs.gov)>  
**Subject:** Re: [EXTERNAL] RE: RGV 04 - RFI 40 - Review Request

Same time works for us

Regards,

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent

RGV Wall Project Delivery Team

Office: (b) (6), (b) (7)(C)

Gov. Cell: (b) (6), (b) (7)(C)

Aut Viam Inveniam Aut Faciam

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---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Sent:** Wednesday, November 20, 2019 9:09:17 AM  
**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; Kelly McDowell <kelly\_mcdowell@fws.gov>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Cc:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; Range, Brent <brent\_range@ios.doi.gov>; RGV WALL TEAM <RGVWALLTEAM@cbp.dhs.gov>  
**Subject:** RE: [EXTERNAL] RE: RGV 04 - RFI 40 - Review Request

Same timing works for me as well.

Thanks,

---

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**Sent:** Tuesday, November 19, 2019 3:44 PM  
**To:** Kelly McDowell <kelly\_mcdowell@fws.gov>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
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**Subject:** RE: [EXTERNAL] RE: RGV 04 - RFI 40 - Review Request

Folks,

If on Friday, I'm free after 1200.

Thank you

Brad

**(b) (6), (b) (7)(C)**

Contractor – LMI

Project Manager RGV 02/03/04

DHS/CBP/USBP/PMOD

Mobile: **(b) (6), (b) (7)(C)**

CBP Email: **(b) (6), (b) (7)(C)**

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**Sent:** Tuesday, November 19, 2019 10:19 AM

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**Cc:** **(b) (6), (b) (7)(C)** <**(b) (6), (b) (7)(C)**>; **(b) (6), (b) (7)(C)**

<**(b) (6), (b) (7)(C)**>; **(b) (6), (b) (7)(C)**

<**(b) (6), (b) (7)(C)**>; Range, Brent <[brent\\_range@ios.doi.gov](mailto:brent_range@ios.doi.gov)>; RGV WALL

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RGV 02/03/04 PM

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Contractor – LMI

Project Manager RGV 02/03/04

DHS/CBP/USBP/PMOD

Mobile: (b) (6), (b) (7)(C)

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(b) (6), (b) (7)(C)

<(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C)

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(b) (6), (b) (7)(C)

Special Operations Supervisor

RGV Wall Project Delivery Team

GC-9562509513

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Thoughts?

Brad

(b) (6), (b) (7)(C)

Contractor – LMI

Project Manager RGV 02/03/04

DHS/CBP/USBP/PMOD

Mobile: (b) (6), (b) (7)(C)

CBP Email: (b) (6), (b) (7)(C)

-----Original Message-----

From: Navarro, Ramon F CIV USARMY CESWG (USA)

<(b) (6), (b) (7)(C)>

Sent: Tuesday, November 12, 2019 2:42 PM

To: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

Cc: Schwarzer, Carolee L 1LT SWG

<(b) (6), (b) (7)(C)>; Brown, Rhonda G CIV  
USARMY CESWG (USA) <(b) (6), (b) (7)(C)>

Subject: FW: RGV 04 - RFI 40 - Review Request

Hello Brad,

Sorry to bug you, but I am following up on RFI #40 (I believe Rhonda sent it out to you last week).

Below is a description / history behind the RFI and I have also attached the RFI for reference.

Could you please confirm if this change is acceptable so I may reply back to the contractor?

Thank you,

Ramon F. Navarro

Project Engineer

Galveston District, USACE

Border Infrastructure Resident Office

Work Cell: (b) (6), (b) (7)(C)

-----Original Message-----

From: Navarro, Ramon F CIV USARMY CESWG (USA)

Sent: Thursday, October 31, 2019 3:49 PM

To: Brown, Rhonda G CIV USARMY CESWG (USA)

<(b) (6), (b) (7)(C) >

Cc: Schwarzer, Carolee L 1LT SWG

<(b) (6), (b) (7)(C) >

Subject: RFI 40 - Review Request

Hello Rhonda,

Attached is RFI #40 the KTR submitted this afternoon.

In this RFI, the KTR states during last weeks meeting it was suggested to straighten out the patrol road on Base 1 from STA 114+50 to STA 120+00.

The issue is that by doing this, the road would now cross an existing drainage ditch and would impact the cat/wildlife corridor.

This will be a change order if direct the KTR to proceed down this path.

Could you send this over to Mr. Snow so we can get CBP's concurrence in writing?

Thank you,

Ramon N.

--

Kelly McDowell  
Refuge Supervisor Texas Gulf Coast  
956-566-3664

**From:** [Winton, Bryan](#)  
**To:** [Robert Sweeney](#)  
**Cc:** [Jess, Robert RJ](#); [Perez, Sonny](#); [McDowell, Kelly](#)  
**Subject:** Re: [EXTERNAL] RGV Road Archaeological Survey  
**Date:** Friday, May 17, 2019 11:42:01 AM  
**Attachments:** [0104\\_PenitasWest\\_MAP.pdf](#)  
[0103\\_PenitasWest\\_WMA.pdf](#)  
[0105\\_PenitasWest\\_WMA\\_continued.pdf](#)  
**Importance:** High

---

There is a lot of buried infrastructure supporting oil and gas in this area. I'd prefer TPWD issue the ROE for this site. I can't see how they can bury anything in this area without disrupting numerous pipeline ROW or Easements, information I don't have since this is a state-owned property managed by FWS. I've attached the pertinent information on the number of pipelines and ownership information, but you can see they are all in the same footprint CBP wants to survey and build in.  
bryan

On Thu, May 16, 2019 at 5:12 PM Robert Sweeney <[Robert.Sweeney@tpwd.texas.gov](mailto:Robert.Sweeney@tpwd.texas.gov)> wrote:

Bryan, CBP has asked for access to the Penitas unit for the border wall project, which is different from the road project. See attached map. It appears that a separate ROE agreement will be needed. Could you please look at the attached Word document, which is the CBP form with TPWD's modifications, and let me know whether you can sign it, or whether modifications are necessary?

Thanks.

Please call to discuss if necessary.

Robert Sweeney  
General Counsel  
Texas Parks & Wildlife Department  
4200 Smith School Rd  
Austin, TX 78744

512-389-4433

[Robert.sweeney@tpwd.texas.gov](mailto:Robert.sweeney@tpwd.texas.gov)

**From:** Winton, Bryan <[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)>  
**Sent:** Wednesday, May 8, 2019 5:00 PM  
**To:** Robert Sweeney <[Robert.Sweeney@tpwd.texas.gov](mailto:Robert.Sweeney@tpwd.texas.gov)>  
**Subject:** Fwd: [EXTERNAL] RGV Road Archaeological Survey

----- Forwarded message -----

**From:** Winton, Bryan <[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)>  
**Date:** Mon, Apr 22, 2019 at 4:10 PM  
**Subject:** Re: [EXTERNAL] RGV Road Archaeological Survey  
**To:** <[johna@northlandresearch.com](mailto:johna@northlandresearch.com)>  
**Cc:** Scot Edler <[scot\\_edler@fws.gov](mailto:scot_edler@fws.gov)>

Ms. Hutira:

Attached is the signed form that authorizes CBP contractors to access the Penitas Wildlife Management Area, a unit of the Las Palomas WMA (owned by Texas Parks & Wildlife Department & managed by USFWS-Lower Rio Grande Valley National Wildlife Refuge). The purpose of this access is for evaluating where and how to adjust (relocate) portions of the river road, which was damaged due to 2010 flooding and subsequent bank erosion. Please notify contractors to contact our refuge Dispatch office (956) 784-7520 prior to accessing the site so we can notify our Refuge Law Enforcement program personnel about the authorized access. To coordinate further, please

contact Assistant Refuge Manager Scot Edler (956) 784-7621.

On Tue, Apr 16, 2019 at 4:24 PM <[johna@northlandresearch.com](mailto:johna@northlandresearch.com)> wrote:

Good Morning Mr. Winton:

Northland is doing some cultural resources survey on a tract of road located in the Las Paloma Wildlife Management Area. For this work, we need a permit from the State of Texas. The permit application requires a signature from someone at the Management Area. I have attached the permit application, if you would be so kind as to sign in the appropriate space (Section II under General Information, Page one). Please return the permit application to me at your earliest convenience. Thank you.

Johna

Johna Hutira

*Vice President*

*Northland Research, Inc.*

*480-894-0020 office, 602-558-1991 cell*

*www. Northland Research.com*

*A small, woman-owned business*

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--

Bryan R. Winton, Wildlife Refuge Manager

Lower Rio Grande Valley National Wildlife Refuge

3325 Green Jay Road, Alamo, Texas 78516

(956) 784-7521 office; (956) 874-4304 cell

[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)

--

Bryan R. Winton, Wildlife Refuge Manager

Lower Rio Grande Valley National Wildlife Refuge

3325 Green Jay Road, Alamo, Texas 78516

(956) 784-7521 office; (956) 874-4304 cell

[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)

--

Bryan R. Winton, Wildlife Refuge Manager

Lower Rio Grande Valley National Wildlife Refuge

3325 Green Jay Road, Alamo, Texas 78516

(956) 784-7521 office; (956) 874-4304 cell

[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)

**From:** [Reyes, Ernesto](#)  
**To:** [Ardizzone, Chuck](#)  
**Cc:** [Willey, Seth](#); [Michael Porter](#); [Susan Jacobsen](#); [Dawn Gardiner](#)  
**Subject:** Re: Boarder Wall Correspondence  
**Date:** Tuesday, July 16, 2019 9:52:40 AM

---

Chuck,

Yes, I will coordinate with Rob Jess and Kelly like we did last time, and have the RD sign off the response letter.

Ernesto Reyes  
U.S. Fish and Wildlife Service  
Alamo Ecological Service Sub-Office  
3325 Green Jay Rd  
Alamo, Texas 78516  
Tel:956-784-7560  
Fax:956-787-8338

On Tue, Jul 16, 2019 at 7:53 AM Ardizzone, Chuck <[chuck\\_ardizzone@fws.gov](mailto:chuck_ardizzone@fws.gov)> wrote:  
I think the last response we sent to CBP was coordinated between our office and refuges and signed by the RO. I will have Dawn and Ernesto coordinate with Kelly McDowell and refuge staff, (as I am out on Annual Leave for 2 weeks starting this Saturday) similar to the last effort, as the letter requests information on things other than endangered species.

**Chuck Ardizzone**  
Project Leader  
Texas Coastal Ecological Services  
U.S. Fish & Wildlife Service  
17629 El Camino Real, Ste 211  
Houston, TX 77058  
W: (281) 286-8282 Ext 26506  
C: (713) 882-1912  
F: (281) 488-5882

On Mon, Jul 15, 2019 at 5:30 PM Willey, Seth <[seth\\_willey@fws.gov](mailto:seth_willey@fws.gov)> wrote:  
No objections. Whom would you envision signing it. Refuges? For ES, we've signed some in here. We can talk about whether that might make sense here or not.

Seth

\*\*\*\*\*

Seth L. Willey

Deputy ARD, Ecological Services  
Southwest Region, USFWS  
[Seth\\_Willey@fws.gov](mailto:Seth_Willey@fws.gov)  
Work: 505-248-6492  
Cell: 505-697-7600

\*\*\*\*\*

On Mon, Jul 15, 2019 at 1:00 PM Ardizzone, Chuck <[chuck\\_ardizzone@fws.gov](mailto:chuck_ardizzone@fws.gov)> wrote:  
Seth,

we just received this letter from Customs and Border Protection, and wanted to bring it to your attention. I am not sure what the current guidance is in regards to Border wall correspondence. Is there any objections to our office working with Refuges to answer the questions in the letter?

**Chuck Ardizzone**  
Project Leader  
Texas Coastal Ecological Services  
U.S. Fish & Wildlife Service  
17629 El Camino Real, Ste 211  
Houston, TX 77058  
W: (281) 286-8282 Ext 26506  
C: (713) 882-1912  
F: (281) 488-5882

----- Forwarded message -----

From: **Diaz, Anthony** <[anthony\\_diaz@fws.gov](mailto:anthony_diaz@fws.gov)>  
Date: Mon, Jul 15, 2019 at 1:44 PM  
Subject: Boarder Wall Correspondence  
To: Chuck Ardizzone <[chuck\\_ardizzone@fws.gov](mailto:chuck_ardizzone@fws.gov)>

I was instructed to send you a copy of this letter from Customs and Boarder concerning the border wall.

--

Respectfully Sent,  
Anthony Diaz  
Field Office Assistant  
US Fish and Wildlife Service  
4444 Corona Drive Suite 215

Corpus Christi, Texas 78411-4300  
Office: 361-994-9005 ext. 26311  
Direct Line: 361-225-7311  
Cell: 281-667-6534

*“Some people spend an entire lifetime wondering if they made a difference in the world.  
But, the Marines don’t have that problem.” - President Ronald Reagan*

Semper Fidelis

**From:** [Dawn Gardiner](#)  
**To:** [Ardizzone, Chuck](#)  
**Cc:** [ernesto\\_reyes@fws.gov](mailto:ernesto_reyes@fws.gov)  
**Subject:** Re: Boarder Wall Correspondence  
**Date:** Monday, July 15, 2019 3:20:34 PM

---

I think Kelly has designated by the RD to work with CBP on the wall. We also have a DOI liaison. We can see what Seth says.

Sent from my iPhone

On Jul 15, 2019, at 1:59 PM, Ardizzone, Chuck <[chuck\\_ardizzone@fws.gov](mailto:chuck_ardizzone@fws.gov)> wrote:

Seth,

we just received this letter from Customs and Border Protection, and wanted to bring it to your attention. I am not sure what the current guidance is in regards to Border wall correspondence. Is there any objections to our office working with Refuges to answer the questions in the letter?

**Chuck Ardizzone**  
Project Leader  
Texas Coastal Ecological Services  
U.S. Fish & Wildlife Service  
17629 El Camino Real, Ste 211  
Houston, TX 77058  
W: (281) 286-8282 Ext 26506  
C: (713) 882-1912  
F: (281) 488-5882

----- Forwarded message -----

From: **Diaz, Anthony** <[anthony\\_diaz@fws.gov](mailto:anthony_diaz@fws.gov)>  
Date: Mon, Jul 15, 2019 at 1:44 PM  
Subject: Boarder Wall Correspondence  
To: Chuck Ardizzone <[chuck\\_ardizzone@fws.gov](mailto:chuck_ardizzone@fws.gov)>

I was instructed to send you a copy of this letter from Customs and Boarder concerning the border wall.

--

Respectfully Sent,  
Anthony Diaz  
Field Office Assistant  
US Fish and Wildlife Service  
4444 Corona Drive Suite 215  
Corpus Christi, Texas 78411-4300  
Office: 361-994-9005 ext. 26311  
Direct Line: 361-225-7311  
Cell: 281-667-6534

*“Some people spend an entire lifetime wondering if they made a difference in the world. But, the Marines don't have that problem.” - President Ronald Reagan*

Semper Fidelis

<20190715133338.pdf>

**From:** [Perez, Chris](#)  
**To:** [Winton, Bryan](#)  
**Cc:** [Jess, Robert RJ](#); [Perez, Sonny](#); [Edler, Scot](#); [Reyes, Ernesto](#); [McDowell, Kelly](#)  
**Subject:** Re: Border Wall Maps for LRGV  
**Date:** Monday, July 8, 2019 7:56:16 AM  
**Importance:** High

---

Well, then I would need their shapefiles or Google Earth kmzs if you're asking me to work on that. Alternatively, I'm surprised with our level of cooperation with CBP and the fact that we've shared our shapefiles with them numerous times; that they could not provide that for us on request...I think that's something they should be able to provide us much easier than us asking them for their border wall shapefiles which frankly, they probably would be reluctant to provide. Either way. Let me know what you guys want to do.

On Mon, Jul 8, 2019 at 7:38 AM Winton, Bryan <[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)> wrote:

Kelly called on Friday morning requesting we superimpose the border wall proposals over the affected LRGV NWR tracts. I had some of this information prepared previously but we only recently learned of western Hidalgo Co. proposed alignments and others in Cameron County-- based on the public notices (attached). Some maps will need to be amended and others created. He wants this information by this Friday in anticipation of an upcoming meeting with Brent Range and (b) (6), (b) (7)(C).

So in addition to preparing AR's for expenditure of remaining balances of DM-Fence and the authorized Rec Fee amount, I'll be working on this.

bryan

--

Bryan R. Winton, Wildlife Refuge Manager  
Lower Rio Grande Valley National Wildlife Refuge  
3325 Green Jay Road, Alamo, Texas 78516  
(956) 784-7521 office; (956) 874-4304 cell  
[bryan\\_winton@fws.gov](mailto:bryan_winton@fws.gov)

--

Chris Perez, Wildlife Biologist  
Lower Rio Grande Valley NWR  
3325 Green Jay Rd.  
Alamo, TX 78516  
Phone: 956-784-7553  
Fax: 956-787-8338

**From:** [Fernandez, Erin](#)  
**To:** [Reyes, Ernesto](#); [Martin, Daniel J](#)  
**Cc:** [McDowell, Kelly](#); [Gardiner, Dawn](#)  
**Subject:** Re: Texas border fence  
**Date:** Tuesday, May 14, 2019 10:15:53 AM  
**Importance:** High

---

Thanks, Ernesto and hi Kelly and Dawn! I'm looping Danny Martin with Organ Pipe Cactus NM into this conversation as well as he would like to reach out to others who have been working on this round of fence projects. CBP is proposing to build pedestrian fence across OPCNM and part of Cabeza Prieta NWR (among other areas in AZ) and we will be participating in a meeting/field trip tomorrow with CBP to discuss their proposal.

After our field trip but before we submit formal recommendations to CBP (via a letter), I would like set up a conference call with you all for late May/early June. Please let me know if you are available any of the following dates:  
May 29, May 30, June 5, June 6.

In the meanwhile, have you all submitted formal comments to CBP yet? If so, could you share a copy of your letter(s) with us.

Thank you so much!  
erin

---

Erin Fernandez  
Fish and Wildlife Biologist/Mexico Program Coordinator  
U.S. Fish and Wildlife Service  
Arizona Ecological Services Office  
201 North Bonita Avenue, Suite 141  
Tucson, Arizona 85745  
(520) 670-6150, extension 238  
(520) 670-6155 (fax)  
<http://www.fws.gov/southwest/es/arizona/>

On Tue, May 14, 2019 at 7:39 AM Reyes, Ernesto <[ernesto\\_reyes@fws.gov](mailto:ernesto_reyes@fws.gov)> wrote:

Erin,

I'm doing good and hope you are doing good too. Kelly McDowell (Supervisor for Texas Refuges) and myself for ES are coordinating for Border Fence proposed alignments in the Rio Grande Valley; Kelly worked with ES back in 2008 when he was the Project Leader for the South Texas Refuge Complex, so we both have experience with Border Fence issues. For now, CBP is only concentrating their efforts in the Rio Grande Valley. Let me know if you need to set up a call to discuss what CBP is proposing in AZ.

Thanks,

Ernesto Reyes  
U.S. Fish and Wildlife Service  
Alamo Ecological Service Sub-Office

3325 Green Jay Rd  
Alamo, Texas 78516  
Tel:956-784-7560  
Fax:956-787-8338

On Mon, May 13, 2019 at 4:30 PM Fernandez, Erin <[erin\\_fernandez@fws.gov](mailto:erin_fernandez@fws.gov)> wrote:

Hi Ernesto,

How are you? Could you tell me who the lead (or leads) for the border fence project(s) are in Texas? CBP is proposing to replace segments of vehicle fence and pedestrian fence with 30-ft bollard pedestrian fence and we wanted to coordinate with Texas to learn from your experiences with this round of fence construction.

Thanks and I hope all is well!

Erin

---

Erin Fernandez  
Fish and Wildlife Biologist/Mexico Program Coordinator  
U.S. Fish and Wildlife Service  
Arizona Ecological Services Office  
201 North Bonita Avenue, Suite 141  
Tucson, Arizona 85745  
(520) 670-6150, extension 238  
(520) 670-6155 (fax)  
<http://www.fws.gov/southwest/es/arizona/>

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C); McDowell, Kelly; (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C); Range, Brent K; [RGV WALL TEAM](#)  
**Subject:** RE: [EXTERNAL] RE: RGV 04 - RFI 40 - Review Request  
**Date:** Wednesday, November 20, 2019 9:44:34 AM  
**Importance:** High

---

All,

I know the primary point of this is to talk the RFI 0040 and the crossing t RGV 04 base 1 – I have a question about the bird viewing station in RGV 02, Option 2 (Carlson Lake).

If we can add that for about a 5 minute discussion.

Thank you,

Brad

(b) (6), (b) (7)(C)

Contractor – LMI

Project Manager RGV 02/03/04

DHS/CBP/USBP/PMOD

Mobile: (b) (6), (b) (7)(C)

CBP Email: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Sent:** Wednesday, November 20, 2019 9:09 AM  
**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; Kelly McDowell <kelly\_mcdowell@fws.gov>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Cc:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; Range, Brent <brent\_range@ios.doi.gov>; RGV WALL TEAM <RGVWALLTEAM@cbp.dhs.gov>  
**Subject:** RE: [EXTERNAL] RE: RGV 04 - RFI 40 - Review Request

Same timing works for me as well.

Thanks,

---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Sent:** Tuesday, November 19, 2019 3:44 PM  
**To:** Kelly McDowell <kelly\_mcdowell@fws.gov>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Cc:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; Range, Brent <brent\_range@ios.doi.gov>; RGV WALL TEAM <RGVWALLTEAM@cbp.dhs.gov>  
**Subject:** RE: [EXTERNAL] RE: RGV 04 - RFI 40 - Review Request

Folks,

If on Friday, I'm free after 1200.

Thank you

Brad

(b) (6), (b) (7)(C)

Contractor – LMI

Project Manager RGV 02/03/04

DHS/CBP/USBP/PMOD

Mobile: (b) (6), (b) (7)(C)

CBP Email: (b) (6), (b) (7)(C)

---

**From:** Kelly McDowell <[kelly\\_mcdowell@fws.gov](mailto:kelly_mcdowell@fws.gov)>

**Sent:** Tuesday, November 19, 2019 10:19 AM

**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

**Cc:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C)

<(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C)

<(b) (6), (b) (7)(C)>; Range, Brent <(b) (6), (b) (7)(C)>; RGV WALL

TEAM <[RGVWALLTEAM@cbp.dhs.gov](mailto:RGVWALLTEAM@cbp.dhs.gov)>

**Subject:** Re: [EXTERNAL] RE: RGV 04 - RFI 40 - Review Request

Paul, Brad and Tim

Friday Anytime but 10-11Am CST works for me right now!

Kelly

Sent from my iPhone

On Nov 19, 2019, at 8:56 AM, (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)> wrote:

Brad and Tim – I'm including Kelly McDowell from FWS and Brent Range from DOI on this email. Kelly manages the refuges in Texas and provided the locations for the animal openings. Would you have time today or in the next day to talk with Kelly about the revised design for this area? He will likely have some suggestions/recommendations on the animal opening. I provided Kelly the photos of the area.

---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

**Sent:** Wednesday, November 13, 2019 10:47 AM

**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C)

<(b) (6), (b) (7)(C)>

**Cc:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; RGV WALL TEAM

<[RGVWALLTEAM@cbp.dhs.gov](mailto:RGVWALLTEAM@cbp.dhs.gov)>

**Subject:** RE: RGV 04 - RFI 40 - Review Request

Hello,

I'll take a look later today and get you my feedback. Thanks for getting the pictures, those will be helpful.

Thanks,

---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Sent:** Wednesday, November 13, 2019 6:25 AM  
**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Cc:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; RGV WALL TEAM <[RGVWALLTEAM@cbp.dhs.gov](mailto:RGVWALLTEAM@cbp.dhs.gov)>  
**Subject:** Re: RGV 04 - RFI 40 - Review Request

Awesome Jason.

Thank you!

Brad  
RGV 02/03/04 PM  
(b) (6), (b) (7)(C)

Sent from my iPhone

On Nov 13, 2019, at 7:09 AM, (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)> wrote:

Will do Brad. We will send them to you later today.

Respectfully,

<image001.png>

---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Sent:** Wednesday, November 13, 2019 6:49 AM  
**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Cc:** RGW WALL TEAM <[RGVWALLTEAM@cbp.dhs.gov](mailto:RGVWALLTEAM@cbp.dhs.gov)>  
**Subject:** RE: RGV 04 - RFI 40 - Review Request

Morning,

So in the original RFI, SWVC is talking about pushing the EZ back out to 150'. To do this, they would put a culvert of some sort in across the drainage area. They will be clearing the brush from this area anyway which is going to change the dynamics there as far as wildlife goes. They will also take out the ramped area and level out that area. We'll need to know how big that drainage ditch is so we know if we need to place grates across the end.

Can I ask for someone to run out and take some photos of the area so we are all looking at the same thing? We have the design meeting tomorrow afternoon at the Hampton in Mission. It would probably be good if we had a look at the location and can talk from the same sheet of music.

Thanks

Brad

(b) (6), (b) (7)(C)

Contractor – LMI

Project Manager RGV 02/03/04

DHS/CBP/USBP/PMOD

Mobile: (b) (6), (b) (7)(C)

CBP Email: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

**Sent:** Tuesday, November 12, 2019 5:56 PM

**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>;

(b) (6), (b) (7)(C)

<(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C)

<(b) (6), (b) (7)(C)>

**Cc:** RGV WALL TEAM <[RGVWALLTEAM@cbp.dhs.gov](mailto:RGVWALLTEAM@cbp.dhs.gov)>

**Subject:** Re: RGV 04 - RFI 40 - Review Request

Brad,

Is there a gate at the top of the ramp as well? How would we cross the drainage ditch? Would we have to build a bridge? If so sounds costly? Maybe we can have a call on this tomorrow morning to further explain. Let me know. Thanks!

Get [Outlook](#) for iOS

(b) (6), (b) (7)(C)

Special Operations Supervisor  
RGV Wall Project Delivery Team  
GC-9562509513

---

**From:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Sent:** Tuesday, November 12, 2019 4:35:21 PM  
**To:** (b) (6), (b) (7)(C)  
<(b) (6), (b) (7)(C)>; (b) (6), (b) (7)(C)  
<(b) (6), (b) (7)(C)>  
**Cc:** RGV WALL TEAM <[RGVWALLTEAM@cbp.dhs.gov](mailto:RGVWALLTEAM@cbp.dhs.gov)>  
**Subject:** FW: RGV 04 - RFI 40 - Review Request

All,

Can't remember if I sent this out or not. The proposal is to keep the EZ and patrol Road out away from the wall. This is the segment in Base 1 where we have the opening for the cat crossing.

If we do this, then the ramp up to the cat crossing is taken out and the EZ and Patrol road will be down at the level ground. The Cat Crossing would be @ 14' up.

If moving to the south, cats would have to walk down the wall to the ramp or jump. If going north, they can go to the gate or end.

Thoughts?

Brad

(b) (6), (b) (7)(C)

Contractor – LMI  
Project Manager RGV 02/03/04  
DHS/CBP/USBP/PMOD  
Mobile: (b) (6), (b) (7)(C)  
CBP Email: (b) (6), (b) (7)(C)

-----Original Message-----

From: Navarro, Ramon F CIV USARMY CESWG (USA)

<(b) (6), (b) (7)(C)>

Sent: Tuesday, November 12, 2019 2:42 PM

To: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

Cc: Schwarzer, Carolee L 1LT SWG

<(b) (6), (b) (7)(C)>; Brown, Rhonda G CIV  
USARMY CESWG (USA) <(b) (6), (b) (7)(C)>

Subject: FW: RGV 04 - RFI 40 - Review Request

Hello Brad,

Sorry to bug you, but I am following up on RFI #40 (I believe Rhonda sent it out to you last week).

Below is a description / history behind the RFI and I have also attached the RFI for reference.

Could you please confirm if this change is acceptable so I may reply back to the contractor?

Thank you,

Ramon F. Navarro

Project Engineer

Galveston District, USACE

Border Infrastructure Resident Office

Work Cell: (b) (6), (b) (7)(C)

-----Original Message-----

From: Navarro, Ramon F CIV USARMY CESWG (USA)

Sent: Thursday, October 31, 2019 3:49 PM

To: Brown, Rhonda G CIV USARMY CESWG (USA)

<(b) (6), (b) (7)(C)>

Cc: Schwarzer, Carolee L 1LT SWG

<(b) (6), (b) (7)(C)>

Subject: RFI 40 - Review Request

Hello Rhonda,

Attached is RFI #40 the KTR submitted this afternoon.

In this RFI, the KTR states during last weeks meeting it was suggested to straighten out the patrol road on Base 1 from STA 114+50 to STA 120+00.

The issue is that by doing this, the road would now cross an existing drainage ditch and would impact the cat/wildlife corridor.

This will be a change order if direct the KTR to proceed down this path.

Could you send this over to Mr. Snow so we can get CBP's concurrence in writing?

Thank you,

Ramon N.

**From:** [Perez, Chris](#)  
**To:** [McDowell, Kelly](#)  
**Cc:** [Winton, Bryan](#)  
**Subject:** Request for information border wall species of concern  
**Date:** Monday, March 4, 2019 3:45:56 PM  
**Attachments:** [Species of Concern regarding border barrier wall construction on LRGV NWR.doc](#)  
**Importance:** High

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Kelly:

Please see attached. Hope this helps. Let me know if you need anything else or need additional information.  
Thanks.

--

Chris Perez, Wildlife Biologist  
Lower Rio Grande Valley NWR  
3325 Green Jay Rd.  
Alamo, TX 78516  
Phone: 956-784-7553  
Fax: 956-787-8338



# United States Department of the Interior



FISH AND WILDLIFE SERVICE

Post Office Box 1306  
Albuquerque, New Mexico 87103

In Reply Refer To:  
FWS/R2/NWRS/070578

**AUG 12 2019**

Mr. Paul Enriquez  
U.S. Customs and Border Protection  
U.S. Border Patrol Headquarters  
1300 Pennsylvania Ave. 6.5E Mail Stop 1039  
Washington, DC 20229-1100

Dear Mr. Enriquez:

This is in response to your letter dated June 27, 2019, in which U.S. Customs and Border Protection (CBP) requested U.S. Fish and Wildlife Service (Service) input on the proposed construction of a levee/border wall system in Rio Grande Valley, Texas. The proposed project involves the construction of approximately 95 miles of new border and levee wall system in the Lower Rio Grande Valley to consist of 19 miles in Cameron County, 52 miles in Hidalgo County, and 52 miles in Starr County. This project may also include associated impacts such as a 150-foot “enforcement zone” adjacent to the constructed border walls. The Service’s concerns and recommendations are outlined below.

### **Federally and State Listed T&E species and other Species of Concern**

The Lower Rio Grande Valley National Wildlife Refuge (LRGV NWR, Refuge) was established in 1979 to conserve the biodiversity of the Lower Rio Grande Valley of Texas (Valley). The Refuge also protects, manages for, and provides important habitat for federally-listed species and those listed as threatened, endangered, or species of concern by the Texas Parks and Wildlife Department (TPWD). Enclosure A identifies the Federally-listed species, particularly endangered plants, that may occur within the some of the areas of proposed fencing/wall construction.

As the proposed alignments, particularly in Starr County, will result in habitat destruction, the Service recommends CBP utilize a botanist(s) knowledgeable of local plant communities to conduct surveys for federally-listed endangered plants to avoid impacts to these species.

The border wall/barrier and associated infrastructure will result in a reduction of habitat connectivity in portions of the natural wildlife corridor that exists along the Rio Grande. This will adversely affect wildlife movement north and south of the proposed fencing/walls that would include federally-listed species such as the ocelot. Adverse effects include inhibiting access to traditional water sources, ability to move about in response to prey, intra or inter-specific competition, floods, finding

mates/loss of genetic diversity, or simply colonizing additional habitat which ultimately can result in a reduction of long-term population trends.

One of the primary purposes of the LRGV NWR, is to create a corridor for wildlife along the Rio Grande. The Service has long envisioned contiguous forested areas along the Rio Grande in support of endangered species and bird conservation and management. Unfortunately, as a result of development, numerous ports of entry, and border wall/fence infrastructure, the concept of a functioning wildlife corridor along the Rio Grande River is compromised. Without connections, the fragmented nature of remaining habitats along the river may act as sinks or traps for such species as ocelots. This is a particular concern for all wildlife that depend on the Rio Grande itself as a water source. Overall, a total of 37 LRGV NWR river tracts are affected; 8,839 acres (36 km<sup>2</sup>) to be separated (on north side) by proposed border wall route. This eliminates access by wildlife on the north side to the adjacent brush and water sources at the river. Attachment B further defines the Service's concerns and recommendations.

### **Socioeconomics and Recreational Activities**

One of the largest and fastest growing industries is tourism, particularly nature-based or ecotourism (Mathis and Matisoff 2004). Ecotourism in the Lower Rio Grande Valley generates between \$100 million and \$170 million annually, and creates several thousand jobs (Mathis and Matisoff 2004, *after* Chapa 2004). In fact, the Valley is considered one of the top bird-watching destinations in North America (TX A&M 2012). National wildlife refuges in the Valley protect most of the unique biodiversity and wildlife habitats that attract thousands of visitors annually engaged in ecotourism.

Approximately 6,000 acres of LRGV NWR are open to public hunting; however, the Service has not made many of the areas behind the current border wall/fence available to the public for hunting and fishing due to concerns for visitor safety. Additional border wall and/or barrier construction could further limit future opportunities to open these areas to hunting and fishing and other public uses. This is particularly apparent at La Casita East tract, as this area is proposed for opening to dove hunting but may be bisected by the proposed alignment.

Therefore, continued cumulative direct and indirect impacts from border construction activities on refuge habitats involving fragmentation, degradation, or alteration likewise directly impact the health of wildlife and their numbers which in turn will negatively impact the Valley's ecotourism economy. Therefore, consideration must be given to ensure that development is tempered by an adequate concern for protection of the Valley's unique wildlife and habitats. We recommend continued early and close coordination with the Service to help reduce or eliminate adverse impacts to important fish and wildlife resources here.

### **Cultural Resources**

The LRGV NWR includes many parcels along the Rio Grande extending to western Starr County with identified cultural resource sites. These sites include an early historic rancho, a road associated with the Mexican-American War, historic military camps, twentieth-century residences, a shipwreck, prehistoric burned rock scatters and middens, burned rock "hearth" features, lithic quarries, deeply stratified sites along terraces of the Rio Grande, surficial artifacts scatters, and a unique rock art site (USFWS 2018). For example, an archeological reconnaissance along the Rio Grande resulted in the discovery of an historic site, identified as the "Yankee site" in 1976 on the northeastern portion of the Refuge's Las Ruinas tract, on a terrace. At least three structures and evidence of a fourth site occur here (O' Malley 1976) which were used as a trading post between the Spanish and Native Americans (USFWS 2018). These are sandstone dwellings that indicate it was inhabited around 1820 and in the

1840s to 1850s (O' Malley 1976). Due to the location along the Rio Grande, many of the lands on LRGVNWR were used during the Civil War battles (1861-1865), particularly in/adjacent to Palmito Ranch tract and Boca Chica tracts. Many artifacts and historic battle sites remain. The Palmito Battlefield historic district is bounded by State Highway 4 to the north and the Rio Grande to the south extending to Boca Chica Beach (USFWS 2018).

Therefore, before any construction and earth moving activities are planned, appropriate cultural resources surveys should be conducted (both on and off the Refuge) to ensure these and unknown cultural resources are not impacted by the proposed activities.

**Studies and Data Available on Environment Impacts**

Very little data is available about construction of a physical barrier across the landscape. We know of few examples of such an action in modern times. There are text books written on the value of connectivity and the science and practice and importance of linking landscapes for biodiversity (Hilty et al. 2006)

Currently, the Service manages 79 forested parcels along the river, totaling 130 km<sup>2</sup>. The border wall will isolate or separate 37 properties (about half of all major parcels), totaling 36 km<sup>2</sup> (Table 2). Research shows that forested areas must reach at least 1 km<sup>2</sup> to support breeding birds at decadal scales, while areas of >10 km<sup>2</sup> support breeding birds at century scales. (Ferraz et al. 2003, Burke and Nol 2000).

The USGS publication titled, *An international borderland of concern: Conservation of biodiversity in the Lower Rio Grande Valley*, can be found at the following website:

<https://pubs.er.usgs.gov/publication/sir20165078>. This publication has a number of appropriate citations to use for habitat fragmentation, barriers to wildlife movement, and biogeographical comprehensive assessment of risk to species. Additionally, the draft Environmental Impact Statement for Construction, Maintenance, and Operation of Tactical Infrastructure prepared in 2007, particularly a table on page 538, outlines all the environmental impacts. Enclosure C provides further references for review.

Thank you for the excellent communication and information sharing that has occurred through our existing relationship with the Rio Grande Valley Sector. We appreciate your efforts to engage stakeholders and look forward to continuing to work together to minimize the proposed projects' potential impacts to trust species and the LRGV NWR. If you have any questions or concerns, please contact me at 505-248-6282.

Sincerely,



Regional Director

Enclosures

**Attachment A.**

**Species descriptions for Federally and State listed threatened and endangered species and other species of concern within the area of border wall/barrier construction on Lower Rio Grande Valley NWR tracts.**

This attachment identifies the Federally-listed species, particularly endangered plants, within the Rio Grande riparian areas and uplands within the area of border wall/barrier construction on LRGV NWR tracts.

**Table 1. Federally and State listed T&E species and other species of concern\* proposed border wall/barrier construction on LRGV NWR tracts\*\***

Common Name	Scientific Name	Fed/State Status
Ocelot	<i>Leopardus pardalis</i>	FSE
Jaguarundi	<i>Herpailurus yaguarondi</i>	FSE
Zapata bladderpod	<i>Lesquerella thamnophila</i>	FSE
Walker’s manioc	<i>Manihot walkerae</i>	FSE
Texas Ayenia	<i>Ayenia limitaris</i>	FSE
Gray Hawk	<i>Asturina nitida</i>	ST, RD
Northern beardless tyrannulet	<i>Camptostoma imberbe</i>	ST, RD
Tropical parula	<i>Parula pitiayumi</i>	ST, RD
Black-spotted newt	<i>Notophthalmus meridionalis</i>	ST
Texas horned lizard	<i>Phrynosoma cornutum</i>	ST
Texas tortoise	<i>Gopherus berlandieri</i>	ST

\* List based on the presence of appropriate habitat, species survey info, and/or refuge staff knowledge. Included are state-listed species that regularly occur on the refuge. Species that occur accidentally or could occur are not included for the purposes of this document. See species descriptions below.

\*\* ST = State Threatened, SE = State Endangered, FSE=Federally and State Endangered, RD=Riparian Habitat Dependent. *Source: FWS CCESFO County List 2017; TPWD Annotated County Lists of Rare Species, 2016.*

The **ocelot** (*Leopardus pardalis*) is a medium-sized spotted cat that ranges from southern Texas to northern Argentina occurring in humid tropical and subtropical forests, coastal mangroves, swampy savannas, and semi-arid thornscrub (USFWS 1990). The ocelot was listed as endangered (without critical habitat designation) in 1972 due primarily to over-collection for the fur trade and habitat loss (37 FR 2589). These primarily nocturnal cats usually feed on small mammals and birds and require large home ranges. The ocelot prefers dense thornscrub or brush occurring along riparian areas,



**Rare ocelot in South Texas**

drainages, lomas, and other uplands, but it has also been found in other dense habitats such as live oak forest with brushy understory. Optimal habitat consists of dense thornscrub with 95 percent or more canopy cover (USFWS 1990). Currently, road kills are the primary cause of direct mortality to the remaining ocelot population as urbanization, road construction, and other development in the Valley has recently increased. Habitat loss and fragmentation was and still is a major reason for their endangered status. Long-term survival of this species depends not only on the protection of large densely-vegetated brushlands or other suitable habitats and safe wildlife corridors between them, but also on addressing the small population sizes, population isolation, and loss of genetic diversity.

The **Gulf Coast Jaguarundi** (*Herpailurus yagouaroundi cacomitli*) is a small, exceedingly rare wildcat in the United States weighing between 8 and 16 pounds, with a relatively long tail and short legs. Coloration is widely variable ranging from blackish to brownish-gray or reddish-yellow to chestnut (Hall, 1981). The last known record of a jaguarundi in the United States was along State Highway 4, just east of Brownsville, Texas, when one was found road-killed in 1986 near an old resaca or river channel crossing. There have been several reported sightings of jaguarundis in the Valley in recent years but despite recent efforts to document the existence of these cats, researchers have so far been unable to photograph or trap one. It is now estimated that less than 15 cats may possibly exist in South Texas (Klepper 2005). Just like the ocelot, brush clearing activities in the Valley have eliminated much of their habitat leading to their endangered status. Efforts aimed at preserving and restoring native brush are necessary in order to support any remaining cats, particularly along watercourses such as resacas and the Rio Grande.

Since the 1920s, more than 95 percent of the original native brushland in the Valley has been converted to agricultural or urban use (Jahrsdoerfer and Leslie, 1988). The remaining native habitat and narrow connecting corridors or brushlines are therefore extremely important for the continued existence of species such as the ocelot and jaguarundi. Ocelots and jaguarundis are area-sensitive species which occur in dense shrubland habitat, but will move between adjacent brush tracts along canals, drainages, fencelines, natural watercourses, or other areas containing native vegetation as protected corridors of travel. Jaguarundis also occur in dense grasslands associated near dense brush (Caso 1994).

The **Gray Hawk** (*Asturina nitidia*) is state threatened and is considered rare to locally uncommon occurring in and nesting in riparian habitats along the lower Rio Grande River (Oberholser 1974).

**Northern beardless tyrannulet** (*Camptostoma imberbe*) is a state threatened species and one of the rarest breeders in Texas, limited to the Valley. These birds breed within the riparian forests along the Rio Grande building nests almost exclusively of ball or Spanish moss.

The **tropical parula** (*Parula pitiayumi*) is a state threatened species whose breeding range in the U.S. is limited to extreme southern Texas. This small bird is found in the riparian forest. It makes its nest from such epiphytes as Spanish moss.

The **Black-spotted Newt** (*Notophthalmus meridionalis*) is one of three salamander species native to Gulf Coast prairies of Texas and Mexico, with respective state and Federal protections (Bare 2018). This state threatened species “has been neglected by the scientific community despite concerns of dramatic population declines and a globally endangered status” (Bare 2018).

Typically found in the vicinity of resacas (historic channels of the Rio Grande) or ephemeral ponds, black-spotted newts are associated with thick vegetation, especially Chara algae, but have also been described as residents of “ lagoons, and swampy areas” (Conant & Collins, 1998, after Bare 2018). This species may become considered for federal protection in the future. Activities affecting the hydrology or filling of wetland in and near the Rio Grande and in the resaca systems in Cameron County may adversely affect this species.

The **Texas horned lizard** (*Phrynosoma cornutum*) is a rare, state threatened species occurring within loose sand or loamy soils both within and outside of the Rio Grande riparian corridor. They are uncommon and susceptible to land clearing and development activities.

The **Texas tortoise** (*Gopherus berlandieri*) is a state threatened species occurring both within and outside of the Rio Grande riparian corridor. Texas tortoises occur in open brush habitats with a grass understory and tend to avoid open areas. The Texas Tortoise may be adversely affected by border barriers since this would restrict the species’ movements related to breeding, feeding, and sheltering.



**Texas Ayenia**  
*Photo: Chris Best*

**Texas ayenia** (*Ayenia limitaris*) is a thornless shrub about two to five feet tall with teardrop (cordate) leaves with small green, pink, or cream colored flowers and prickly five-celled globose fruits. The species was known from a single population in Hidalgo County when it was listed as endangered in 1994. Texas ayenia has now been documented at five sites in Hidalgo, Cameron, and Willacy counties, as well as a separate meta-population in the Municipio of Soto la Marina, Tamaulipas, Mexico. The known populations occur in a range of sandy to clayey alluvial soils in association with native trees and shrubs; however, the species appears to reproduce effectively where it is not completely shaded. The species occurs on the Phillips Banco tract of the LRGV NWR.

**Walker’s manioc** (*Manihot walkerae*) is a perennial, many-branched, reclining to erect herb from the Spurge family, reaching up to five feet in height. Walker’s manioc, which grows from a carrot-like root, flowers from April to September following rains but above-ground vegetation can disappear during drought. Walker’s manioc was listed as endangered in 1991 has been documented at nine locations in Hidalgo and Starr counties, including three LRGV NWR tracts (La Puerta, Yturria Brush, and Chicharra Banco. Threats to the species primarily include habitat loss from developments such as road building, oil and gas pad site development, caliche mining, or other habitat destruction within western Hidalgo and Starr counties, as well as competition from buffelgrass. Herbicide use in areas where the species occurs may also pose a threat.

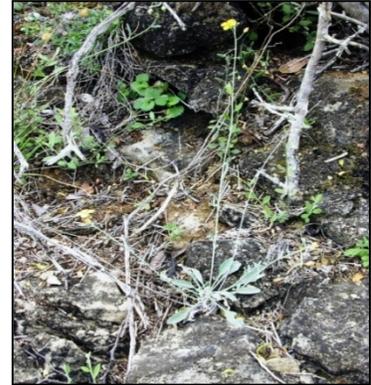


**Walker’s manioc** *Photo: Chris Best*

The 1991 recovery plan criteria for downlisting are to establish or maintain 15 distinct, self-sustaining populations of Walker’s manioc in the U.S. Each population should consist of at least 100 reproductive individuals and have an age class structure reflecting that

which exists in the natural population. The 1991 plan also recommends, but is not limited to: 1) protecting existing populations of Walker's manioc from destruction of individual plants as well as habitat loss or degradation; 2) conducting studies to gather biological information needed for effective management and recovery; 3) search for new populations; 4) establishing a botanical garden and seed bank; and 5) conducting a reintroduction program on the LRGV NWR.

**Zapata bladderpod** (*Lesquerella thamnophila*) is a silvery-green herbaceous perennial with sprawling stems up to 34 inches long (although usually much shorter). The species occurs on sandy or gravelly loams of the Zapata-Maverick soil associations in Starr and Zapata counties. More specifically, this species occurs at or below the interface areas where sandstone strata are overlain by Eocene marine deposits (fossil oyster shell) and where there is high gypsum content. These are highly erodible soils, usually yellowish to orange in color. On the Refuge, this species currently occurs on the Cuellar, Arroyo Ramirez, and Arroyo Morteros tracts. Threats to the species include habitat destruction, modification, and subsequent invasion by non-native grasses such as buffelgrass and soil erosion.



**Zapata bladderpod**  
*Photo: Chris Best*

Recovery plan downlisting criteria call for maintaining or establishing 12 fully-protected, geographically distinct, self-sustaining populations. The recommended population size is a minimum of 2,000 plants at each site. Action items called for in the recovery plan include, but are not limited to, protecting known Zapata bladderpod populations in the U.S., searching for new populations, conducting studies to gather information about management and recovery, establishing a botanical garden and seed bank, and establishing new populations to meet downlisting criteria. The following LRGV NWR tracts that may serve as re-introduction sites include: Cuellar, Arroyo Ramirez, Arroyo Morteros, Los Negros Creek, Chapeño, and Las Ruinas tracts.

**Attachment B.**  
**Wildlife and Habitat Concerns and Recommendations**

To address fragmentation issues and to retain the integrity of the natural hydrological patterns of water drainage into and away from the Rio Grande, design gaps or crossings and/or areas that permit flood flows along natural watercourses may allow wildlife to move north and south of the fencing/walls. This may alleviate some of Service’s concerns related to wildlife movement while addressing the needs of border security. Additionally, the Service strives to protect relatively un-fragmented acreages of forested habitat for many species of neotropical migratory birds. Currently, the Service manages 79 forested parcels along the river, totaling 130 km<sup>2</sup>. The border wall will isolate or separate 37 properties (about half of all major parcels), totaling 36 km<sup>2</sup> (Table 2). Research shows that forested areas must reach at least 1 km<sup>2</sup> to support breeding birds at decadal scales, while areas of >10 km<sup>2</sup> support breeding birds at century scales.

**Table 2. LRGV NWR River Tracts from East to West by County; Severed Acreage to the North Bisected by Currently and Proposed Border Wall/Fence Infrastructure Based on proposed CPB Border Wall System alignment (As of 2019).**

<b><u>Cameron County</u></b>	<b><u>Bisect Acreage Remaining on North Side (approx.)</u></b>
Southmost	177
Boscaje de La Palma	52
Jeronimo Banco	39
Phillips Banco	309
Palo Blanco	1
Garza-Cavazos	260
Tahuachal Banco	86
Ranchito	3810
La Gloria	123
<b><u>Total Tracts</u></b>	<b><u>Total Ac.</u></b>
<b>9</b>	<b>4,857</b>

<b><u>Hidalgo County</u></b>	<b><u>Bisect Acreage Remaining on North Side (approx.)</u></b>
Santa Maria	1
Rosario Banco	12
La Coma	36
Champion Bend WMA	2
Monterrey Banco	2
Marinoff	100
Pharr Settling Basin (Mgt Agr.)	11
Tortuga Banco	17
El Morillo Banco	73
La Parida Banco	166
Kiskadee WMA	1
Peñitas	4
La Joya	445
Havana North	45
Havana South	27

Sam Fordyce North	129
Sam Fordyce South	111
Los Ebanos	266
Cuevitas	200
<b><u>Total Tracts</u></b>	<b><u>Total Ac.</u></b>
<b>19</b>	<b>1,648</b>

<b><u>Starr County</u></b>	<b><u>Bisect Acreage Remaining on North Side (approx.)</u></b>
Chicharra Banco	249
San Francisco Banco	714
La Casita East	678
Los Velas	400
Los Velas West	9
Los Negros Creek	99
Arroyo Ramirez	57
Las Ruinas	78
Arroyo Morteros	50
<b><u>Total Tracts</u></b>	<b><u>Total Ac.</u></b>
<b>9</b>	<b>2,334</b>

The construction of the cleared enforcement zones will directly remove wildlife habitat. The enforcement zones will also create barriers and restrict wildlife movements especially for species like ocelots, which require dense brush to travel through. As a result, we recommend reduction of the proposed 150-foot enforcement zones in areas with brush and on refuge lands to the minimum distance necessary to maintain a road. We also recommend CBP reduce the 150-foot wide enforcement zone when the fence alignment is near the river bank and leave a minimum 33-foot wide corridor on top of the river bank. This will provide a corridor for wildlife and will reduce erosion. Once the enforcement zones are established, a bollard-cable type fence should be installed to replace refuge fencing originally designed to prevent vehicular access into the tract itself. We recommend CBP construct a border barrier with additional openings so that ocelots and other wildlife may move through the border barrier to maintain their connection across the landscape. We recommend CBP replace all cleared brush by restoring brush in unimpacted areas on protected lands to eliminate the net loss of valuable thornscrub habitat. We recommend that wildlife openings matching the width of a gate opening, be maintained in an open condition 24 hours per day with brush corridors leading to openings. We specifically recommend openings on LRGV NWR at Ranchito Tract (Tahuachal Gap negotiated in 2007) in Cameron County, Chicharro Banco in Starr County, La Parida Banco, and Madero Tract in Hidalgo County, and on Bentsen Rio Grande Valley State Park in Hidalgo County. Also, in Starr County, the current proposed alignment appears to begin halfway through the Los Negros Creek unit of LRGV NWR. This alignment would pass through a million-year-old oyster bed geological feature and through designated critical habitat for the Zapata bladderpod. This area also regularly floods and has very unstable soils. We recommend beginning the alignment to the east of the Los Negros Creek tract or aligning on the north end of the unit with a gap at the arroyo.

The proposed alignment in Hidalgo County appears to run through the Sam Fordyce South and La Joya Tracts creating another road south of Old Military Hwy 281 and an abandoned railroad. This alignment will significantly fragment over 5000-acres of thornscrub habitat by adding another road and fence to the existing roads and right-of-ways. We propose that the alignment follow south of the Old Military Highway 281 and railroad right-of-way to reduce fragmentation impacts. We also request there be gap through these segments so these large tract of refuge and private thornscrub remain intact.

A massive flooding event occurred in the Valley in July 2010, along with a release of floodwaters from Falcon Dam due to hurricane-induced rain in Mexico. Floodwaters overtopped the existing Rio Grande levees both at Santa Ana NWR and LRGV NWR as well as on neighboring State and private lands. Approximately 16,850 acres were flooded on LRGV NWR alone impacting numerous native and reforested areas. Floods reached as high as 20 feet above the river bank at Santa Ana NWR and the impounded water remained for about six months before receding. The Service is concerned the total existing and proposed levee wall (up to 52 miles) in Hidalgo County will exacerbate such catastrophic events in the future and leave terrestrial wildlife trapped behind levee walls/fencing. This project is likely to result in loss of life and wildlife during floods since approximately 85percent of Refuge lands are along the Rio Grande, south of the International Boundary and Water Commission levee. We recommend that all gates be open during any significant flooding events and propose construction of elevated berms with associated pads or ramps containing 4:1 slopes around roads and gate gaps south of the levee to allow terrestrial animals to retreat from rising waters during catastrophic flooding events.

Additional CBP activities, particularly dragging tires on roads to check for footprints, contribute to erosion and direct loss of wildlife, particularly reptiles, as well as the establishment of exotic grass species, salt cedar, and other invasive plant species. The proposed enforcement zone includes an improved all-weather road capable of high speed use that would pose a concern for public safety and increased wildlife mortality. Vehicle traffic and especially dragging roads will increase dust impacts on visitors, wildlife, and impacts to vegetation along the enforcement zone. Tactical infrastructure lighting also impacts nighttime wildlife activity, causing habitat to be unusable by ocelot and other nocturnal species. In this case, the Service recommends lighting be focused away from habitats, using motion sensors, and only illuminating the enforcement zone. We recommend the CBP coordinate with the Service to address localized impacts of roads, lights, dragging, and other activities.

To prevent entrapment of wildlife species (particularly birds) during placement of vertical posts/bollards; all vertical fence posts/bollards that are hollow (i.e., those that will be filled with a reinforcing material such as concrete), should be covered to prevent wildlife from becoming trapped inside. Caps should be installed on the posts or hollow bollards when they are erected and remain until they are filled with reinforcing material. Additionally, all construction activities involving vegetation clearing should avoid the general bird nesting season extending from March through August to avoid impacting resident and migratory birds protected under the Migratory Bird Treaty Act.

**Attachment C.**  
**References**

- Bare, E. 2018. Regional Distribution, Non-Invasive Detection, And Genetic Diversity of the Black-spotted newt (*Notophtalmus meridionalis*). MS Thesis. Univ. Texas Rio Grande Valley. 95pp.
- Burke, D. M., and E. Nol. 2000. Landscape and fragment size effect on reproductive success of forest-breeding birds in Ontario. *Ecological Applications* 10:1749-1761.
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# United States Department of the Interior

FISH AND WILDLIFE SERVICE



Post Office Box 1306  
Albuquerque, New Mexico 87103

In Reply Refer To:  
FWS/R2/NWRS-RC/068463

**AUG 20 2018**

Mr. Paul Enriquez  
Real Estate and Environmental Branch Chief  
U.S. Customs and Border Protection  
Washington, DC 20229

Dear Mr. Enriquez:

Thank you for your letter received by my office on July 5, 2018, requesting our input on the proposal to construct new border barriers in the U.S Border Patrol Rio Grande Valley Sector. The U.S. Fish and Wildlife Service (FWS) intends to continue working closely with the U.S. Customs and Border Protection (CBP) and appreciates the excellent communication and information-sharing we have maintained over the past six years. We are providing a preliminary review based upon the information CBP provided. The FWS may revise its comments/opinions as we receive more details regarding this proposed construction.

The proposed barrier project would consist of two types of construction, including 25 miles of levee wall/fencing in Hidalgo County and eight miles of bollard type fencing in portions of Starr County, Texas. We also understand 3.43 miles of combined barriers would be constructed on the Lower Rio Grande Valley National Wildlife Refuge (LRGV NWR) in Hidalgo and Starr counties. The FWS is committed to maintaining close coordination with CBP on this proposed project with the goal of minimizing any environmental effects to: LRGV NWR; threatened and endangered species; outdoor recreation such as hunting, fishing and wildlife observation, and; the ecotourism-based economy those resources and activities support.

After reviewing this proposal for potential effects on Federally-listed species and other Federal trust resources, as well as impacts to the LRGV NWR, we provide the enclosed comments for your consideration. We appreciate the opportunity to provide pre-planning information regarding this proposed Lower Rio Grande Valley border infrastructure project. We also support CBP addressing all existing and proposed border enforcement activities' direct and indirect impacts on natural resources.

Please contact me at 505-248-6282, or Aaron Archibeque, Regional Chief, National Wildlife Refuge System, at 505-248-6937, if you have questions or need further assistance.

Sincerely,

Regional Director

Mr. Paul Enriquez

2

cc: Refuge Supervisor, Texas Gulf Coast, San Marcos, TX  
Project Leader, South Texas Refuges Complex  
Refuge Manager, Lower Rio Grande Valley NWR  
Assistant Field Supervisor, U.S. Fish and Wildlife Service, Corpus Christi, TX

## **Comments on Proposed Border Barrier Construction in the U.S. Border Patrol Rio Grande Valley Sector**

### Project Design

The project design includes a reinforced concrete levee wall to the approximate height of existing fencing, with 18-foot tall steel bollards installed on top of the levee wall. The project will also include a 150-foot wide “enforcement zone” or cleared area adjacent to the south levee. Detection and surveillance technology would be incorporated into the levee wall, including automated vehicle gates, pedestrian gates, an all-weather patrol road that would run parallel to the levee wall, and enforcement zone lighting. The design of the eight miles of barrier fencing in Starr County would consist of a series of 20-30-foot-tall steel bollards.

### Specific Comments

One of the primary purposes of the LRGV NWR is to establish a corridor for wildlife along the Rio Grande. CBP’s proposed project may reduce habitat connectivity in portions of the natural wildlife corridor that exists along the Rio Grande. CBP’s project will likely adversely affect wildlife, including, but not limited to, federally-listed species such as the ocelot and jaguarondi, movement north and south of the proposed border barriers. Adverse effects to wildlife in the action area include inhibiting access to traditional water sources, ability to move about in response to prey, intra- or inter-specific competition, floods, finding mates, or simply colonizing additional habitat which ultimately can result in a reduction of long term population trends. At the time of establishment, habitats along the Rio Grande were not expected to be developed because they are located in the floodplain of the river, which regularly floods. However, as a result of development, numerous ports of entry, CBP operations, and border wall/fence infrastructure, the concept of a functioning wildlife corridor along the Rio Grande River is becoming less likely. In fact, without a functioning wildlife corridor the fragmented nature of remaining habitats along the Rio Grande may act as sinks or traps for such species as ocelots. This is particularly a concern for sections of levee wall in Hidalgo County where walls channel flood flows, which could trap ocelots and other wildlife with no exit or retreat.

The U.S. Fish and Wildlife Service (Service) has long advocated for contiguous forested areas along the Rio Grande corridor to support the conservation and management of wildlife, endangered ocelots, jaguarundis, and migratory birds. The planned border barrier construction will negatively impact approximately 30 percent of the Service’s investment of public funds in land acquisition and stewardship for LRGV NWR. This acreage will become essentially unavailable for stewardship of trust resources and make the long-term goal of providing contiguous forested areas along the Rio Grande of southern Texas for wildlife, breeding birds, and ocelots and jaguarundis no longer feasible. This outcome will severely reduce the conservation values of the entire Service estate in the Lower Rio Grande Valley region.

The construction of the 150-foot enforcement zones will directly remove wildlife habitat. The enforcement zones will also create barriers and restrict wildlife movements especially for species like ocelots, which require dense brush to travel through. Until the exact scale of clearing is identified, the Service recommends calculating direct habitat loss based on a vegetation survey of

the 150-foot enforcement zone and border wall construction. The Service recommends CBP utilize a botanist(s) knowledgeable of local plant communities to conduct surveys for federally-listed endangered plant species.

Clearing of vegetation in the 150-foot enforcement zone would have habitat impacts both on and off the refuge. The cleared enforcement zone for the 25 miles of levee wall that would be in Hidalgo County would directly remove approximately 40 acres of habitat on LRGV NWR and 435 acres off-refuge. In addition, the cleared enforcement zone in Starr County would directly remove 22.3 acres of habitat on LRGV NWR and 135 acres off-refuge. Furthermore, acreage within LRGV NWR north of the border barrier would no longer be linked with other corridors and result in direct loss of 1,077 acres of habitat for ocelots and other wildlife on the refuge. As a result, we have the following recommendations to mitigation these impacts.

We recommend reduction of the 150-foot enforcement zones in areas with brush and on refuge lands to the minimum distance necessary to maintain a road. We also recommend CBP abandon the 150-foot wide enforcement zone when the fence alignment is near the river bank and leave at least a 33-foot wide corridor on top of the river bank. This will provide a corridor for wildlife and will reduce erosion and therefore protect the bollard fence. We recommend CBP construct a border barrier with additional openings so ocelots, jaguarundis and other wildlife may move through the border barrier to maintain their connection across the landscape. We recommend that wildlife openings matching the width of a gate opening, be maintained in an open condition 24 hours per day with brush corridors leading to openings. We specifically recommend openings on LRGV NWR Chicharro Banco in Starr County, La Parida Banco, and Madero Tract in Hidalgo County, and on Bentsen Rio Grande Valley State Park in Hidalgo County. Also in Starr County, the current proposed alignment appears to begin halfway through the Los Negros Creek unit of LRGV NWR. This alignment would pass through a million-year-old oyster bed geological feature and through designated critical habitat for the Zapata bladderpod. This area also regularly floods and has very unstable soils. We recommend beginning the alignment to the east of the Los Negros Creek tract.

A massive flooding event occurred in the Lower Rio Grande Valley in July 2010, along with a release of floodwaters from Falcon Dam due to hurricane-induced rain in Mexico. Floodwaters overtopped the existing Rio Grande levees both at Santa Ana NWR and LRGV NWR as well as on neighboring State and private lands. Floods reached as high as 20 feet above the river bank at Santa Ana NWR and the impounded water remained for about six months before receding. The Service is concerned the total existing and proposed levee wall (up to 60 miles) in Hidalgo County will exacerbate such catastrophic events in the future and leave terrestrial wildlife trapped behind levee walls/fencing. This project is therefore likely to result in loss of wildlife during floods since approximately 85 percent of refuge lands are along the Rio Grande, south of the International Boundary and Water Commission levee. We recommend that all gates be open during any significant flooding events and propose construction of elevated berms with associated pads or ramps containing 4:1 slopes around roads and gate gaps south of the levee to allow terrestrial animals to retreat from rising waters during catastrophic flooding events.

The width of all roads created or maintained by CBP should be measured and recorded using GPS coordinates and integrated into the CBP GIS database. Maintenance actions should occur without incrementally increasing the width of the road and/or the amount of disturbed area beyond the road. In addition, CBP activities, particularly dragging tires on roads to check for footprints, contribute to erosion and direct loss of wildlife, particularly reptiles, as well as the establishment of exotic grass species, salt cedar, and other invasive plant species. The proposed enforcement zone includes an improved all-weather road capable of high speed use that would pose a concern for public safety and increased wildlife mortality. Vehicle traffic and especially dragging roads will increase dust impacts on visitors, wildlife, and impacts to vegetation along the enforcement zone. Tactical infrastructure lighting also impacts nighttime wildlife activity, causing habitat to be unusable by ocelot and other nocturnal species. In this case, the Service recommends lighting be focused away from habitats, using motion sensors, and only illuminating the enforcement zone. We recommend the CBP coordinate with the Service to address localized impacts of roads, lights, and other activities.

To prevent entrapment of wildlife species during placement of vertical posts/bollards, all vertical fence posts/bollards that are hollow (i.e., those that will be filled with a reinforcing material such as concrete), should be covered to prevent wildlife from becoming trapped inside. Caps should be installed as soon as the posts or hollow bollards are erected and remain until they are filled with reinforcing material. Impacts to resident and migratory birds protected under the Migratory Bird Treaty Act may occur, if vegetation clearing activities are conducted during the general nesting season of March through August.

The Service has not made many of the areas behind the current border wall/fence available to the public for hunting and fishing due to concerns for visitor safety. Additional border wall and bollard fence construction could further limit future opportunities to open these areas to hunting and fishing and other public uses.

**From:** [Winton, Bryan](#)  
**To:** [McDowell, Kelly](#)  
**Subject:** Starr and Cameron Co Alignments  
**Date:** Friday, July 5, 2019 8:29:57 AM  
**Attachments:** [Fiscal Year 2019 Rio Grande Valley Border Barrier Projects Request for Input.pdf](#)  
**Importance:** High

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So by next Friday you need a map of where the alignments cross the various LRGV NWR tracts, or you want us to generate a map similar to what they've provided, but one that highlights more where our properties occur along that alignment? The maps CBP provided showing the alignment in relation to the river does have our properties lightly highlighted on there. Maybe Scot can get their GIS files and we can enhance the refuge properties so its a little clearer which properties and how many will be affected.

I will get with Chris Perez who does most of our GIS now. He's not as advanced as Mitch was but he can still do what you need I think.

bryan

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Bryan R. Winton, Wildlife Refuge Manager  
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**From:** [Winton, Bryan](#)  
**To:** [McDowell, Kelly](#)  
**Subject:** Starr County waiver only for ~3.0 miles (Las Ruinas & Arroyo Ramirez)  
**Date:** Friday, July 5, 2019 8:02:57 AM  
**Importance:** High

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The link below is to CBP website that states the waiver is only for 3 miles in Starr Co. both on LRGV NWR properties.

This means there will be "gaps" everywhere else until they obtain clearances to construct on private lands.

<https://www.cbp.gov/newsroom/national-media-release/dhs-issues-waiver-expedite-border-wall-project-rio-grande-valley>

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