


From: (b)(6);(b)(7)(C)
To: [Reagan, Steve](#); [Range, Brent K](#)
Cc: (b)(6);(b)(7)(C)
Subject: [EXTERNAL] Utility Pole Installation - USFWS Tract near (b) (7)(E)
Date: Wednesday, January 20, 2021 8:39:12 PM
Attachments: [FWS Tucson](#)  [Power Poles Memo FINAL 20JAN2021.pdf](#)

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Steve – Per our discussion last week, please find attached a letter documenting the location of the planned power poles on the US Fish and Wildlife tract near (b) (7)(E). The letter also documents the fact that the poles are being installed in relation to the border barrier construction in this area which is executed under a waiver of environmental laws issued by the Secretary of the Dept. of Homeland Security.

Please feel free to contact us if you have any questions or need additional information.

Thank you for your assistance and support.

(b)(6);(b)(7)(C)

Infrastructure Program
Program Management Office Directorate
United States Border Patrol
Phone: (b)(6);(b)(7)(C)



U.S. Customs and Border Protection

January 20, 2021

Steve Reagan
U.S. Fish and Wildlife Service
BY EMAIL: steve_reagan@fws.gov

SUBJECT: Power Pole Installation on U.S. Fish and Wildlife Service Property

Dear Mr. Reagan:

The following provides an overview of the power poles to be installed on U.S. Fish and Wildlife Service (USFWS) property in order to support the utility connection to the border barrier infrastructure.

Project Overview

The U.S. Army Corps of Engineers (USACE), as part of the Tucson ^{(b) (7)(E)} project, is constructing approximately ^{(b) (7)(E)} of a border barrier system along the Arizona border within the Roosevelt Reservation. The barrier system includes cameras, lighting, and linear ground detection system, which are supported by grid power from Arizona Public Service (APS).

In order to provide electric service to lighting and security systems located within the Roosevelt Reservation, power poles are being installed on property managed by the USFWS as shown on the attached map. Two power poles are planned to be installed on the USFWS property to connect the permanent power service from APS to the border barrier system. The two new power poles will span the 400-foot distance on the USFWS property along ^{(b) (7)(E)} to the ^{(b) (7)(E)} Road.

Waiver and Environmental Review

This project is being carried out under a waiver of environmental laws issued by the Secretary of Homeland Security on March 16, 2020, pursuant to Section 102(c) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), as amended 8 U.S.C. 1103 note. The Secretary's IIRIRA waiver sets aside the application of certain natural resource and environmental laws to ensure the expeditious construction of the border barrier.

While this Project is located on federally-owned land and executed under a waiver, U.S. Customs and Border Protection has conducted a survey of the project area to identify any potential impacts to cultural or biological resources. The project area is heavily disturbed and no biological or cultural resources were identified within the project corridor.

Next Steps

Per our conversation on January 13, 2021, this document is intended to memorialize the placement of the two power poles on the USFWS property and the manner that the property was

Steve Reagan, U.S. Fish and Wildlife Service

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environmentally cleared. If additional information is required about this project, please do not hesitate to contact me at (b)(6);(b)(7)(C)

Thank you for your continued coordination on this project.

Sincerely,

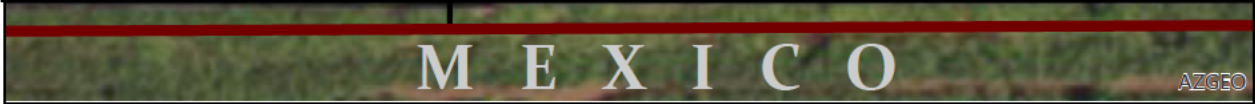
(b)(6);(b)(7)(C)

Acquisition, Real Estate and Environmental Director
Infrastructure Portfolio
Program Management Office Directorate
U.S. Border Patrol



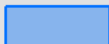


Enclosure: 12kV Distribution Line Extension to U.S.-Mexico Border Zone APS Map

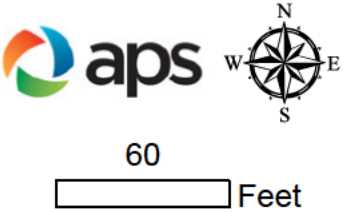
**12kV DISTRIBUTION LINE EXTENSION
TO US-MEXICO BORDER ZONE**

(b) (7)(E)



LEGEND

- | | | | |
|---|--------------------|---|----------------------------|
|  | Proposed 12kV line |  | Section Lines |
|  | Proposed 20' ROW |  | 60' International Boundary |
|  | Proposed Poles | | |



- Starting approximately one-half (0.5) of a mile west of the Naco Port of Entry and extending east to approximately Border Monument 92: (Red Line)

(b) (7)(E)

- Starting approximately one-half (0.5) of a mile west of Border Monument 91 and extending east for approximately 16 miles; (Red Line)

(b) (7)(E)

- Starting approximately one-half (0.5) of a mile east of Border Monument 83 and extending west for two (2) miles;

(b) (7)(E)

- Starting approximately one-half (0.5) of a mile west of Border Monument 74 and extending east to the Arizona-New Mexico state line.

(b) (7)(E)

Respectfully,
(b)(6)(b)(7)(C)
Operations Officer – Public Lands Liaison
U.S. Border Patrol – Tucson Sector
Officer (b)(6)(b)(7)(C)
Cell (b)(6)(b)(7)(C)
E-mail: (b)(6)(b)(7)(C)

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Area by the Office of National Drug Control Policy.

Due to the high levels of illegal entry of people and drugs within the El Centro Sector, I must use my authority under section 102 of IIRIRA to install additional physical barriers and roads in the El Centro Sector. Therefore, DHS will take immediate action to construct barriers and roads. In addition, lighting will be installed.

To support DHS's action under section 102 of IIRIRA, I requested that the Secretary of Defense, pursuant to 10 U.S.C. 284(b)(7), assist by constructing fence, roads, and lighting within the El Centro Sector in order to block drug smuggling corridors across the international boundary between the United States and Mexico. The Secretary of Defense has concluded that the support requested satisfies the statutory requirements of 10 U.S.C. 284(b)(7) and that the Department of Defense will provide such support in the project area described in Section 2 below.

Section 2

I determine that the following area in the vicinity of the United States border, located in the State of California within the United States Border Patrol's El Centro Sector, is an area of high illegal entry (the "project area"): Starting at the San Diego—Imperial County line and extending east approximately 11 miles.

There is presently an acute and immediate need to construct physical barriers and roads in the vicinity of the border of the United States in order to prevent unlawful entries into the United States in the project area pursuant to sections 102(a) and 102(b) of IIRIRA. In order to ensure the expeditious construction of the barriers and roads in the project area, I have determined that it is necessary that I exercise the authority that is vested in me by section 102(c) of IIRIRA.

Accordingly, pursuant to section 102(c) of IIRIRA, I hereby waive in their entirety, with respect to the construction of physical barriers and roads (including, but not limited to, accessing the project area, creating and using staging areas, the conduct of earthwork, excavation, fill, and site preparation, and installation and upkeep of physical barriers, roads, supporting elements, drainage, erosion controls, safety features, lighting, cameras, and sensors) in the project area, all of the following statutes, including all federal, state, or other laws, regulations, and legal requirements of, deriving from, or related to the subject of, the following statutes, as amended: The National

Environmental Policy Act (Pub. L. 91–190, 83 Stat. 852 (Jan. 1, 1970) (42 U.S.C. 4321 *et seq.*)); the Endangered Species Act (Pub. L. 93–205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 *et seq.*)); the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act (33 U.S.C. 1251 *et seq.*)); the National Historic Preservation Act (Pub. L. 89–665, 80 Stat. 915 (Oct. 15, 1966), as amended, repealed, or replaced by Pub. L. 113–287, 128 Stat. 3094 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 470 *et seq.*, now codified at 54 U.S.C. 100101 note and 54 U.S.C. 300101 *et seq.*)); the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*); the Migratory Bird Conservation Act (16 U.S.C. 715 *et seq.*); the Clean Air Act (42 U.S.C. 7401 *et seq.*); the Archeological Resources Protection Act (Pub. L. 96–95, 93 Stat. 721 (Oct. 31, 1979) (16 U.S.C. 470aa *et seq.*)); the Paleontological Resources Preservation Act (16 U.S.C. 470aaa *et seq.*); the Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301 *et seq.*); the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*); the Noise Control Act (42 U.S.C. 4901 *et seq.*); the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*); the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 *et seq.*); the Archaeological and Historic Preservation Act (Pub. L. 86–523, 74 Stat. 220 (June 27, 1960) as amended, repealed, or replaced by Pub. L. 113–287, 128 Stat. 3094 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 469 *et seq.*, now codified at 54 U.S.C. 312502 *et seq.*)); the Antiquities Act (formerly codified at 16 U.S.C. 431 *et seq.*, now codified at 54 U.S.C. 320301 *et seq.*); the Historic Sites, Buildings, and Antiquities Act (formerly codified at 16 U.S.C. 461 *et seq.*, now codified at 54 U.S.C. 3201–320303 & 320101–320106); the Farmland Protection Policy Act (7 U.S.C. 4201 *et seq.*); the Federal Land Policy and Management Act (Pub. L. 94–579, 90 Stat. 2743 (Oct. 21, 1976) (43 U.S.C. 1701 *et seq.*)); National Fish and Wildlife Act of 1956 (Pub. L. 84–1024, 70 Stat. 1119 (Aug. 8, 1956) (16 U.S.C. 742a, *et seq.*)); the Fish and Wildlife Coordination Act (Pub. L. 73–121, 48 Stat. 401 (March 10, 1934) (16 U.S.C. 661 *et seq.*)); the National Trails System Act (16 U.S.C. 1241 *et seq.*); the Administrative Procedure Act (5 U.S.C. 551 *et seq.*); the Wild Horse and Burro Act (16 U.S.C. 1331 *et seq.*); the Eagle Protection Act (16 U.S.C. 668 *et seq.*); the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 *et seq.*); the American Indian Religious

Freedom Act (42 U.S.C. 1996); the Wilderness Act (Pub. L. 88–577, 78 Stat. 890 (Sept. 3, 1964) (16 U.S.C. 1131 *et seq.*)); and sections 102(29) and 103 of Title I of the California Desert Protection Act (Pub. L. 103–433, 108 Stat. 4471 (Oct. 31, 1994)).

This waiver does not revoke or supersede any other waiver determination made pursuant to section 102(c) of IIRIRA. Such waivers shall remain in full force and effect in accordance with their terms. I reserve the authority to execute further waivers from time to time as I may determine to be necessary under section 102 of IIRIRA.

Dated: March 11, 2020.

Chad F. Wolf,

Acting Secretary of Homeland Security.

[FR Doc. 2020–05365 Filed 3–13–20; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as Amended

AGENCY: Office of the Secretary, Department of Homeland Security.

ACTION: Notice of determination.

SUMMARY: The Acting Secretary of Homeland Security has determined, pursuant to law, that it is necessary to waive certain laws, regulations, and other legal requirements in order to ensure the expeditious construction of barriers and roads in the vicinity of the international land border in Pima County, Arizona, Santa Cruz County, Arizona, and Cochise County, Arizona. **DATES:** This determination takes effect on March 16, 2020.

SUPPLEMENTARY INFORMATION:

Important mission requirements of the Department of Homeland Security ("DHS") include border security and the detection and prevention of illegal entry into the United States. Border security is critical to the nation's national security. Recognizing the critical importance of border security, Congress has mandated DHS to achieve and maintain operational control of the international land border. Secure Fence Act of 2006, Public Law 109–367, section 2, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1701 note). Congress defined "operational control" as the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of

terrorism, narcotics, and other contraband. *Id.* Consistent with that mandate from Congress, the President's Executive Order on Border Security and Immigration Enforcement Improvements directed executive departments and agencies to deploy all lawful means to secure the southern border. Executive Order 13767, section 1. In order to achieve that end, the President directed, among other things, that I take immediate steps to prevent all unlawful entries into the United States, including the immediate construction of physical infrastructure to prevent illegal entry. Executive Order 13767, section 4(a).

Congress has provided to the Secretary of Homeland Security a number of authorities necessary to carry out DHS's border security mission. One of those authorities is found at section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended ("IIRIRA"). Public Law 104–208, Div. C, 110 Stat. 3009–546, 3009–554 (Sept. 30, 1996) (8 U.S.C. 1103 note), as amended by the REAL ID Act of 2005, Public Law 109–13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005) (8 U.S.C. 1103 note), as amended by the Secure Fence Act of 2006, Public Law 109–367, section 3, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1103 note), as amended by the Department of Homeland Security Appropriations Act, 2008, Public Law 110–161, Div. E, Title V, section 564, 121 Stat. 2090 (Dec. 26, 2007). In section 102(a) of IIRIRA, Congress provided that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads (including the removal of obstacles to detection of illegal entrants) in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress mandated the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that I, in my sole discretion, determine necessary to ensure the expeditious construction of barriers and roads authorized by section 102 of IIRIRA.

Determination and Waiver

Section 1

The United States Border Patrol's Tucson Sector is an area of high illegal entry. In fiscal year 2019, the United States Border Patrol ("Border Patrol") apprehended over 63,000 illegal aliens attempting to enter the United States

between border crossings in the Tucson Sector. Also in fiscal year 2019, there were over 1,200 drug-related events between border crossings in the Tucson Sector, through which Border Patrol seized over 59,000 pounds of marijuana, over 150 pounds of cocaine, over 155 pounds of heroin, over 2,700 pounds of methamphetamine, and over 12 pounds of fentanyl. Additionally, Pima County, Arizona, Santa Cruz County, Arizona, and Cochise County, Arizona, which are located in the Tucson Sector, have been identified as a High Intensity Drug Trafficking Area by the Office of National Drug Control Policy.

Due to the high levels of illegal entry of people and drugs within the Tucson Sector, I must use my authority under section 102 of IIRIRA to install additional physical barriers and roads in the Tucson Sector. Therefore, DHS will take immediate action to construct new primary and secondary fencing and replace existing pedestrian and secondary fencing in the Tucson Sector. The segments within which such construction will occur are referred to herein as the "project areas" and are more specifically described in Section 2 below.

The lack of adequate barriers, either due to a complete absence of barrier or ineffective primary or secondary fencing that no longer meet Border Patrol's operational needs, continues to be particularly problematic as it pertains to the trafficking of illegal narcotics in the Tucson Sector. The replacement of outmoded primary and secondary fencing and the construction of new primary pedestrian fencing will add much needed infrastructure in the Tucson Sector. The added impedance capability will slow or stop illegal activity, afford Border Patrol more time to respond, and increase the likelihood of interdiction. Within the project areas roads will also be constructed or improved and lighting will be installed.

To support DHS's action under section 102 of IIRIRA, I requested that the Secretary of Defense, pursuant to 10 U.S.C. 284(b)(7), assist by constructing fence, roads, and lighting within the Tucson Sector in order to block drug smuggling corridors across the international boundary between the United States and Mexico. The Secretary of Defense has concluded that the support requested satisfies the statutory requirements of 10 U.S.C. 284(b)(7) and that the Department of Defense will provide such support in the project areas described in Section 2 below.

Section 2

I determine that the following areas in the vicinity of the United States border, located in the State of Arizona within the United States Border Patrol's Tucson Sector, are areas of high illegal entry (the "project areas"):

- Starting two (2) miles north and west of Border Monument 140 and extending south and east to approximately one and one-half (1.5) miles east of Border Monument 124;
- Starting approximately one (1) mile west of Border Monument 116 and extending east to approximately one mile (1) east of Border Monument 100;
- Starting at approximately Border Monument 98 and extending east for approximately 10 miles;
- Starting approximately one-half (0.5) of a mile west of the Naco Port of Entry and extending east to approximately Border Monument 92;
- Starting approximately one-half (0.5) of a mile west of Border Monument 91 and extending east for approximately 16 miles;
- Starting approximately one-half (0.5) of a mile east of Border Monument 83 and extending west for two (2) miles; and
- Starting approximately one-half (0.5) of a mile west of Border Monument 74 and extending east to the Arizona-New Mexico state line.

There is presently an acute and immediate need to construct physical barriers and roads in the vicinity of the border of the United States in order to prevent unlawful entries into the United States in the project areas pursuant to sections 102(a) and 102(b) of IIRIRA. In order to ensure the expeditious construction of the barriers and roads in the project areas, I have determined that it is necessary that I exercise the authority that is vested in me by section 102(c) of IIRIRA.

Accordingly, pursuant to section 102(c) of IIRIRA, I hereby waive in their entirety, with respect to the construction of physical barriers and roads (including, but not limited to, accessing the project areas, creating and using staging areas, the conduct of earthwork, excavation, fill, and site preparation, and installation and upkeep of physical barriers, roads, supporting elements, drainage, erosion controls, safety features, lighting, cameras, and sensors) in the project areas, all of the following statutes, including all federal, state, or other laws, regulations, and legal requirements of, deriving from, or related to the subject of, the following statutes, as amended: The National Environmental Policy Act (Pub. L. 91–

190, 83 Stat. 852 (Jan. 1, 1970) (42 U.S.C. 4321 *et seq.*); the Endangered Species Act (Pub. L. 93–205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 *et seq.*); the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act (33 U.S.C. 1251 *et seq.*); the National Historic Preservation Act (Pub. L. 89–665, 80 Stat. 915 (Oct. 15, 1966), as amended, repealed, or replaced by Pub. L. 113–287, 128 Stat. 3094 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 470 *et seq.*, now codified at 54 U.S.C. 100101 note and 54 U.S.C. 300101 *et seq.*); the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*); the Migratory Bird Conservation Act (16 U.S.C. 715 *et seq.*); the Clean Air Act (42 U.S.C. 7401 *et seq.*); the Archeological Resources Protection Act (Pub. L. 96–95, 93 Stat. 721 (Oct. 31, 1979) (16 U.S.C. 470aa *et seq.*); the Paleontological Resources Preservation Act (16 U.S.C. 470aaa *et seq.*); the Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301 *et seq.*); the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*); the Noise Control Act (42 U.S.C. 4901 *et seq.*); the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*); the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 *et seq.*); the Archeological and Historic Preservation Act (Pub. L. 86–523, 74 Stat. 220 (June 27, 1960) as amended, repealed, or replaced by Pub. L. 113–287, 128 Stat. 3094 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 469 *et seq.*, now codified at 54 U.S.C. 312502 *et seq.*); the Antiquities Act (formerly codified at 16 U.S.C. 431 *et seq.*, now codified at 54 U.S.C. 320301 *et seq.*); the Historic Sites, Buildings, and Antiquities Act (formerly codified at 16 U.S.C. 461 *et seq.*, now codified at 54 U.S.C. 3201–320303 & 320101–320106); Wild and Scenic Rivers Act (Pub. L. 90–542, 82 Stat. 906 (Oct. 2, 1968) (16 U.S.C. 1271 *et seq.*); the Farmland Protection Policy Act (7 U.S.C. 4201 *et seq.*); the Federal Land Policy and Management Act (Pub. L. 94–579, 90 Stat. 2743 (Oct. 21, 1976) (43 U.S.C. 1701 *et seq.*); the Wilderness Act (Pub. L. 88–577, 78 Stat. 890 (Sept. 3, 1964) (16 U.S.C. 1131 *et seq.*); sections 101(a)(14), 101(a)(17), and 101(b) of Title I of the Arizona Wilderness Act of 1984 (Pub. L. 98–406, 98 Stat. 1486 (August 28, 1984)); the National Wildlife Refuge System Administration Act (Pub. L. 89–669 (16 U.S.C. 668dd–668ee)); the National Wildlife Refuge System Improvement Act of 1997 (Pub. L. 105–57); National Fish and Wildlife Act of 1956 (Pub. L. 84–1024, 70 Stat.

1119 (Aug. 8, 1956) (16 U.S.C. 742a, *et seq.*); the Fish and Wildlife Coordination Act (Pub. L. 73–121, 48 Stat. 401 (March 10, 1934) (16 U.S.C. 661 *et seq.*); the National Trails System Act (16 U.S.C. 1241 *et seq.*); the Administrative Procedure Act (5 U.S.C. 551 *et seq.*); the Wild Horse and Burro Act (16 U.S.C. 1331 *et seq.*); the Rivers and Harbors Act of 1899 (33 U.S.C. 403); the National Park Service Organic Act and the National Park Service General Authorities Act (Pub. L. 64–235, 39 Stat. 535 (Aug. 25, 1916) and Pub. L. 91–383, 84 Stat. 825 (Aug. 18, 1970) as amended, repealed, or replaced by Pub. L. 113–287, 128 Stat. 3094 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 1, 2–4 and 16 U.S.C. 1a–1 *et seq.*, now codified at 54 U.S.C. 100101–100102, 54 U.S.C. 100301–100303, 54 U.S.C. 100501–100507, 54 U.S.C. 100701–100707, 54 U.S.C. 100721–100725, 54 U.S.C. 100751–100755, 54 U.S.C. 100901–100906, 54 U.S.C. 102101–102102)); Arizona-Idaho Conservation Act of 1988 (Pub. L. 100–696, 102 Stat. 4571 (Nov. 18, 1988) (16 U.S.C. 460xx)); 16 U.S.C. 450y (Pub. L. 77–216, 55 Stat. 630 (Aug. 18, 1941), as amended by Pub. L. 82–478, 66 Stat. 510 (July 9, 1952)); 67 Stat. c18 (Nov. 5, 1952); National Forest Management Act of 1976 (16 U.S.C. 1600 *et seq.*); Multiple-Use and Sustained-Yield Act of 1960 (16 U.S.C. 528–531); 16 U.S.C. 472; 16 U.S.C. 551; the Eagle Protection Act (16 U.S.C. 668 *et seq.*); the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 *et seq.*); and the American Indian Religious Freedom Act (42 U.S.C. 1996).

This waiver does not revoke or supersede any other waiver determination made pursuant to section 102(c) of IIRIRA. Such waivers shall remain in full force and effect in accordance with their terms. I reserve the authority to execute further waivers from time to time as I may determine to be necessary under section 102 of IIRIRA.

Dated: March 11, 2020.

Chad F. Wolf,

Acting Secretary of Homeland Security.

[FR Doc. 2020–05349 Filed 3–13–20; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as Amended

AGENCY: Office of the Secretary, Department of Homeland Security.

ACTION: Notice of determination.

SUMMARY: The Acting Secretary of Homeland Security has determined, pursuant to law, that it is necessary to waive certain laws, regulations, and other legal requirements in order to ensure the expeditious construction of barriers and roads in the vicinity of the international land border in Luna County, New Mexico, Doña Ana County, New Mexico, and El Paso County, Texas.

DATES: This determination takes effect on March 16, 2020.

SUPPLEMENTARY INFORMATION:

Important mission requirements of the Department of Homeland Security (“DHS”) include border security and the detection and prevention of illegal entry into the United States. Border security is critical to the nation’s national security. Recognizing the critical importance of border security, Congress has mandated DHS to achieve and maintain operational control of the international land border. Secure Fence Act of 2006, Public Law 109–367, section 2, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1701 note). Congress defined “operational control” as the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband. *Id.* Consistent with that mandate from Congress, the President’s Executive Order on Border Security and Immigration Enforcement Improvements directed executive departments and agencies to deploy all lawful means to secure the southern border. Executive Order 13767, section 1. In order to achieve that end, the President directed, among other things, that I take immediate steps to prevent all unlawful entries into the United States, including the immediate construction of physical infrastructure to prevent illegal entry. Executive Order 13767, section 4(a).

Congress has provided to the Secretary of Homeland Security a number of authorities necessary to carry out DHS’s border security mission. One of those authorities is found at section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of

AGENCY:

Office of the Secretary, Department of Homeland Security.

ACTION:

Notice of determination.

SUMMARY:

The Acting Secretary of Homeland Security has determined, pursuant to law, that it is necessary to waive certain laws, regulations, and other legal requirements in order to ensure the expeditious construction of barriers and roads in the vicinity of the international land border in Pima County, Arizona, Santa Cruz County, Arizona, and Cochise County, Arizona.

DATES:

This determination takes effect on March 16, 2020.

SUPPLEMENTARY INFORMATION:

Important mission requirements of the Department of Homeland Security (“DHS”) include border security and the detection and prevention of illegal entry into the United States. Border security is critical to the nation's national security. Recognizing the critical importance of border security, Congress has mandated DHS to achieve and maintain operational control of the international land border. Secure Fence Act of 2006, Public Law 109-367, section 2, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1701 note). Congress defined “operational control” as the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of Start Printed terrorism, narcotics, and other contraband. Id. Consistent with that mandate from Congress, the President's Executive Order on Border Security and Immigration Enforcement Improvements directed executive departments and agencies to deploy all lawful means to secure the southern border. Executive Order 13767, section 1. In order to achieve that end, the President directed, among other things, that I take immediate steps to prevent all unlawful entries into the United States, including the immediate construction of physical infrastructure to prevent illegal entry. Executive Order 13767, section 4(a).

Congress has provided to the Secretary of Homeland Security a number of authorities necessary to carry out DHS's border security mission. One of those authorities is found at section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended (“IIRIRA”). Public Law 104-208, Div. C, 110 Stat. 3009-546, 3009-554 (Sept. 30, 1996) (8 U.S.C. 1103 note), as amended by the REAL ID Act of 2005, Public Law 109-13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005) (8 U.S.C. 1103 note), as amended by the Secure Fence Act of 2006, Public Law 109-367, section 3, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1103 note), as amended by the Department of Homeland Security Appropriations Act, 2008, Public Law 110-161, Div. E,

Title V, section 564, 121 Stat. 2090 (Dec. 26, 2007). In section 102(a) of IIRIRA, Congress provided that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads (including the removal of obstacles to detection of illegal entrants) in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress mandated the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that I, in my sole discretion, determine necessary to ensure the expeditious construction of barriers and roads authorized by section 102 of IIRIRA.

Determination and Waiver

Section 1

The United States Border Patrol's Tucson Sector is an area of high illegal entry. In fiscal year 2019, the United States Border Patrol ("Border Patrol") apprehended over 63,000 illegal aliens attempting to enter the United States between border crossings in the Tucson Sector. Also in fiscal year 2019, there were over 1,200 drug-related events between border crossings in the Tucson Sector, through which Border Patrol seized over 59,000 pounds of marijuana, over 150 pounds of cocaine, over 155 pounds of heroin, over 2,700 pounds of methamphetamine, and over 12 pounds of fentanyl. Additionally, Pima County, Arizona, Santa Cruz County, Arizona, and Cochise County, Arizona, which are located in the Tucson Sector, have been identified as a High Intensity Drug Trafficking Area by the Office of National Drug Control Policy.

Due to the high levels of illegal entry of people and drugs within the Tucson Sector, I must use my authority under section 102 of IIRIRA to install additional physical barriers and roads in the Tucson Sector. Therefore, DHS will take immediate action to construct new primary and secondary fencing and replace existing pedestrian and secondary fencing in the Tucson Sector. The segments within which such construction will occur are referred to herein as the "project areas" and are more specifically described in Section 2 below.

The lack of adequate barriers, either due to a complete absence of barrier or ineffective primary or secondary fencing that no longer meet Border Patrol's operational needs, continues to be particularly problematic as it pertains to the trafficking of illegal narcotics in the Tucson Sector. The replacement of outmoded primary and secondary fencing and the construction of new primary pedestrian fencing will add much needed infrastructure in the Tucson Sector. The added impedance capability will slow or stop illegal activity, afford Border Patrol more time to respond, and increase the likelihood of interdiction. Within the project areas roads will also be constructed or improved and lighting will be installed.

To support DHS's action under section 102 of IIRIRA, I requested that the Secretary of Defense, pursuant to 10 U.S.C. 284(b)(7), assist by constructing fence, roads, and lighting within the Tucson Sector in order to block drug smuggling corridors across the international boundary

between the United States and Mexico. The Secretary of Defense has concluded that the support requested satisfies the statutory requirements of 10 U.S.C. 284(b)(7) and that the Department of Defense will provide such support in the project areas described in Section 2 below.

Section 2

I determine that the following areas in the vicinity of the United States border, located in the State of Arizona within the United States Border Patrol's Tucson Sector, are areas of high illegal entry (the "project areas"):

- Starting two (2) miles north and west of Border Monument 140 and extending south and east to approximately one and one-half (1.5) miles east of Border Monument 124;
- Starting approximately one (1) mile west of Border Monument 116 and extending east to approximately one mile (1) east of Border Monument 100;
- Starting at approximately Border Monument 98 and extending east for approximately 10 miles;
- Starting approximately one-half (0.5) of a mile west of the Naco Port of Entry and extending east to approximately Border Monument 92;
- Starting approximately one-half (0.5) of a mile west of Border Monument 91 and extending east for approximately 16 miles;
- Starting approximately one-half (0.5) of a mile east of Border Monument 83 and extending west for two (2) miles; and
- Starting approximately one-half (0.5) of a mile west of Border Monument 74 and extending east to the Arizona-New Mexico state line.

There is presently an acute and immediate need to construct physical barriers and roads in the vicinity of the border of the United States in order to prevent unlawful entries into the United States in the project areas pursuant to sections 102(a) and 102(b) of IIRIRA. In order to ensure the expeditious construction of the barriers and roads in the project areas, I have determined that it is necessary that I exercise the authority that is vested in me by section 102(c) of IIRIRA.

Accordingly, pursuant to section 102(c) of IIRIRA, I hereby waive in their entirety, with respect to the construction of physical barriers and roads (including, but not limited to, accessing the project areas, creating and using staging areas, the conduct of earthwork, excavation, fill, and site preparation, and installation and upkeep of physical barriers, roads, supporting elements, drainage, erosion controls, safety features, lighting, cameras, and sensors) in the project areas, all of the following statutes, including all federal, state, or other laws, regulations, and legal requirements of, deriving from, or related to the subject of, the following statutes, as amended: The National Environmental Policy Act (Pub. L. 91-Start Printed Page 14963190, 83 Stat. 852 (Jan. 1, 1970) (42 U.S.C. 4321 et seq.)); the Endangered Species Act (Pub. L. 93-205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 et seq.)); the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act (33 U.S.C. 1251 et seq.)); the National Historic

Preservation Act (Pub. L. 89-665, 80 Stat. 915 (Oct. 15, 1966), as amended, repealed, or replaced by Pub. L. 113-287, 128 Stat. 3094 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 470 et seq., now codified at 54 U.S.C. 100101 note and 54 U.S.C. 300101 et seq.)); **the Migratory Bird Treaty Act** (16 U.S.C. 703 et seq.); **the Migratory Bird Conservation Act** (16 U.S.C. 715 et seq.); the Clean Air Act (42 U.S.C. 7401 et seq.); **the Archeological Resources Protection Act** (Pub. L. 96-95, 93 Stat. 721 (Oct. 31, 1979) (16 U.S.C. 470aa et seq.)); **the Paleontological Resources Preservation Act** (16 U.S.C. 470aaa et seq.); **the Federal Cave Resources Protection Act of 1988** (16 U.S.C. 4301 et seq.); **the Safe Drinking Water Act** (42 U.S.C. 300f et seq.); **the Noise Control Act** (42 U.S.C. 4901 et seq.); **the Solid Waste Disposal Act**, as amended by the **Resource Conservation and Recovery Act** (42 U.S.C. 6901 et seq.); **the Comprehensive Environmental Response, Compensation, and Liability Act** (42 U.S.C. 9601 et seq.); **the Archaeological and Historic Preservation Act** (Pub. L. 86-523, 74 Stat. 220 (June 27, 1960) as amended, repealed, or replaced by Pub. L. 113-287, 128 Stat. 3094 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 469 et seq., now codified at 54 U.S.C. 312502 et seq.)); **the Antiquities Act** (formerly codified at 16 U.S.C. 431 et seq., now codified at 54 U.S.C. 320301 et seq.); the **Historic Sites, Buildings, and Antiquities Act** (formerly codified at 16 U.S.C. 461 et seq., now codified at 54 U.S.C. 3201-320303 & 320101-320106); **Wild and Scenic Rivers Act** (Pub. L. 90-542, 82 Stat. 906 (Oct. 2, 1968) (16 U.S.C. 1271 et seq.)); **the Farmland Protection Policy Act** (7 U.S.C. 4201 et seq.); **the Federal Land Policy and Management Act** (Pub. L. 94-579, 90 Stat. 2743 (Oct. 21, 1976) (43 U.S.C. 1701 et seq.)); **the Wilderness Act** (Pub. L. 88-577, 78 Stat. 890 (Sept. 3, 1964) (16 U.S.C. 1131 et seq.)); sections 101(a)(14), 101(a)(17), and 101(b) of Title I of the **Arizona Wilderness Act of 1984** (Pub. L. 98-406, 98 Stat. 1486 (August 28, 1984)); **the National Wildlife Refuge System Administration Act** (Pub. L. 89-669 (16 U.S.C. 668dd-668ee)); the **National Wildlife Refuge System Improvement Act of 1997** (Pub. L. 105-57); **National Fish and Wildlife Act of 1956** (Pub. L. 84-1024, 70 Stat. 1119 (Aug. 8, 1956) (16 U.S.C. 742a, et seq.)); the **Fish and Wildlife Coordination Act** (Pub. L. 73-121, 48 Stat. 401 (March 10, 1934) (16 U.S.C. 661 et seq.)); **the National Trails System Act** (16 U.S.C. 1241 et seq.); **the Administrative Procedure Act** (5 U.S.C. 551 et seq.); **the Wild Horse and Burro Act** (16 U.S.C. 1331 et seq.); **the Rivers and Harbors Act of 1899** (33 U.S.C. 403); **the National Park Service Organic Act and the National Park Service General Authorities Act** (Pub. L. 64-235, 39 Stat. 535 (Aug. 25, 1916) and Pub. L. 91-383, 84 Stat. 825 (Aug. 18, 1970) as amended, repealed, or replaced by Pub. L. 113-287, 128 Stat. 3094 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 1, 2-4 and 16 U.S.C. 1a-1 et seq., now codified at 54 U.S.C. 100101-100102, 54 U.S.C. 100301-100303, 54 U.S.C. 100501-100507, 54 U.S.C. 100701-100707, 54 U.S.C. 100721-100725, 54 U.S.C. 100751-100755, 54 U.S.C. 100901-100906, 54 U.S.C. 102101-102102)); **Arizona-Idaho Conservation Act of 1988** (Pub. L. 100-696, 102 Stat. 4571 (Nov. 18, 1988) (16 U.S.C. 460xx)); 16 U.S.C. 450y (Pub. L. 77-216, 55 Stat. 630 (Aug. 18, 1941), as amended by Pub. L. 82-478, 66 Stat. 510 (July 9, 1952)); 67 Stat. c18 (Nov. 5, 1952); **National Forest Management Act of 1976** (16 U.S.C. 1600 et seq.); **Multiple-Use and Sustained-Yield Act of 1960** (16 U.S.C. 528-531); 16 U.S.C. 472; 16 U.S.C. 551; the Eagle Protection Act (16 U.S.C. 668 et seq.); **the Native American Graves Protection and Repatriation Act** (25 U.S.C. 3001 et seq.); and **the American Indian Religious Freedom Act** (42 U.S.C. 1996).

This waiver does not revoke or supersede any other waiver determination made pursuant to section 102(c) of IIRIRA. Such waivers shall remain in full force and effect in accordance with their terms. I reserve the authority to execute further waivers from time to time as I may determine to be necessary under section 102 of IIRIRA.

Dated: March 11, 2020.

Chad F. Wolf,

Acting Secretary of Homeland Security.

[FR Doc. 2020-05349 Filed 3-13-20; 8:45 am]

BILLING CODE 9111-14-P

From: [Range, Brent K](#)
To: [Reagan, Steve](#)
Cc: (b)(6);(b)(7)(C)
Subject: FW: [EXTERNAL] Fwd: Primary Metering Sketches.pdf
Date: Wednesday, January 13, 2021 2:36:34 PM
Attachments: [Primary Metering Sketches.pdf](#)

Brent K. Range
Program Manager - Inter-agency Borderland Coordinator and Field Communications
Office of the Secretary
U.S. Department of the Interior
[1849 C Street NW - Room 5128](#)
[Washington D.C.](#)
20240
Cell: [202-897-7206](#)
Office: [202-208-7431](#)
Privileged and Confidential

From: (b)(6);(b)(7)(C)
Sent: Wednesday, January 13, 2021 10:06 AM
To: (b)(6);(b)(7)(C) Range, Brent K
<brent_range@ios.doi.gov>
Subject: [EXTERNAL] Fwd: Primary Metering Sketches.pdf

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

(b)(6);(b)(7)(C) - Can you please talk with Brent and USFWS about the pole placement?

Thank you

Begin forwarded message:

From: "Darron.Rolle" <darron.rolle@swvconstructors.com>
Date: January 8, 2021 at 9:08:23 AM EST
Subject: FW: Primary Metering Sketches.pdf

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact the [CBP Security Operations Center](#) with questions or concerns.

There's lots here [REDACTED], but the general gist is we will have an APS Terminal pole at the southern edge of the existing easement and then SWVC will install poles to connect the service to the Roosevelt and power the system. Please let me know the next step in engaging Fish and Wildlife or BLM to get this consummated.

Thanks

From: Sam.Nasser <Sam.Nasser@swvconstructors.com>

Sent: Thursday, January 7, 2021 6:16 PM

To: Darron.Rolle <darron.rolle@swvconstructors.com>

Subject: Fwd: Primary Metering Sketches.pdf

Sent from my iPhone

Begin forwarded message:

From: "Rory.Sanchez" <Rory.Sanchez@swvconstructors.com>

Date: January 6, 2021 at 2:49:01 PM MST

To: "Sam.Nasser" <Sam.Nasser@swvconstructors.com>

Subject: Primary Metering Sketches.pdf

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E), (b) (5)

MEXICO MEXICO

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

(b) (7)(E)



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NOTE:

THE UTILITY LOCATIONS SHOWN ON THIS MAP ARE APPROXIMATE ONLY AND ARE NOT RELIABLE FOR CONSTRUCTION PURPOSES.
IN ADDITION, THERE MAY BE FACILITIES IN EXISTENCE DUE TO RECENT CONSTRUCTION THAT ARE NOT SHOWN.
FOR ACTUAL FIELD LOCATIONS, CONTACT ARIZONA BLUE STAKE CENTER AT 1-800-782-5348 (1-800-STAKE-IT).



(b) (7)(E), (b) (5)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



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(b) (7)(E)



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(b) (7)(E)



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(b) (7)(E)



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(b) (7)(E)



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(b) (7)(E)



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(b) (7)(E)



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(b) (7)(E)



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(b) (7)(E), (b) (5)



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(b) (7)(E)



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(b) (7)(E)

(b) (7)(E), (b) (5)



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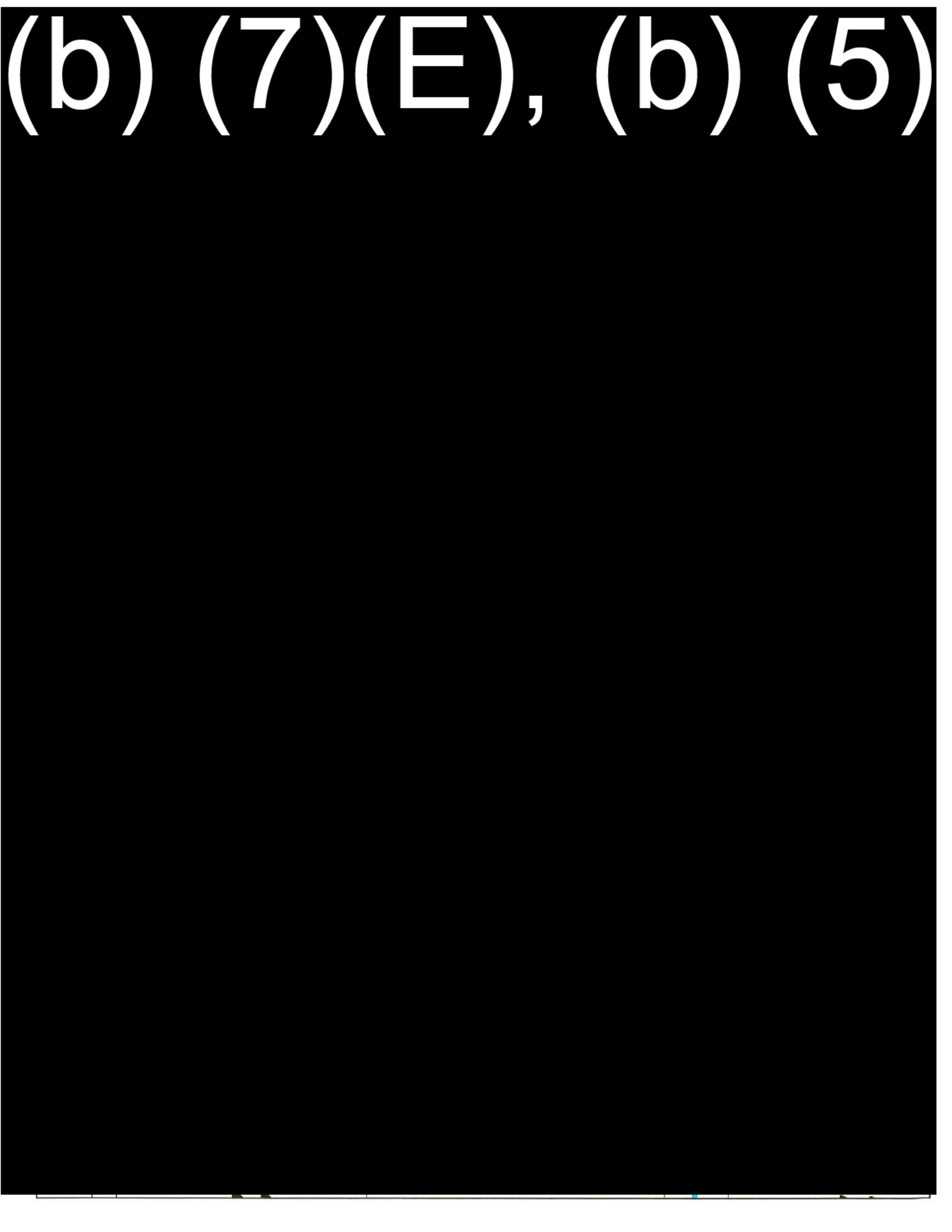
NOTE:

THE UTILITY LOCATIONS SHOWN ON THIS MAP ARE APPROXIMATE ONLY AND ARE NOT RELIABLE FOR CONSTRUCTION PURPOSES. IN ADDITION, THERE MAY BE FACILITIES THAT EXIST, BUT ARE NOT SHOWN, DUE TO RECENT CONSTRUCTION THAT ARE NOT SHOWN. FOR ACTUAL FIELD LOCATIONS, CONTACT ARIZONA BLUE STAKE CENTER AT 1-800-725-5548 (1-800-STAKE-IT).



(b) (7)(E)

(b) (7)(E), (b) (5)



From: [Fernandez, Juliette](#)
To: [Reagan, Steve](#)
Subject: Fw: [EXTERNAL] Large Mammal/Jaguar Follow-up Discussion
Date: Wednesday, May 13, 2020 8:54:40 AM
Attachments: [20200413 AZ-NM Wildlife Crossings & Jag CH.jpg](#)

Juliette Fernandez
Refuge Supervisor AZ/NM

Juliette Fernandez | U.S. Fish and Wildlife Service | Refuge Supervisor AZ/NM | P.O. Box 1306, Rm 4112,
Albuquerque NM, 87103-1306 | 505-248-6650 Office | 505-933-3501 Cell

From: McIntyre, Julie <julie_mcintyre@fws.gov>

Sent: Monday, April 13, 2020 3:04 PM

To (b)(6);(b)(7)(C) Range, Brent K
<brent_range@ios.doi.gov>; (b)(6);(b)(7)(C)

ernandez, Erin <erin_fernandez@fws.gov>; Alanen, Marit
<marit_alanen@fws.gov>; Valentine, Julie A <jvalentine@blm.gov>; Cooke, Scott C
<scooke@blm.gov>; angela.dahlby@usda.gov <angela.dahlby@usda.gov>; (b)(6);(b)(7)(C)
Rod@bio-studies.com <Rod@bio-studies.com>; (b)(6);(b)(7)(C)

(b) (6)

Cc: Burke, Emily G <eburke@blm.gov>; Fernandez, Juliette <juliette_fernandez@fws.gov>; Hay,
Leslie - FS <Leslie.Hay@usda.gov>; Fitting, Helen <Helen_Fitting@nps.gov>; Radke, Bill
<bill_radke@fws.gov>; Karsch, Rebekah - FS <rebekah.karsch@usda.gov>; Robledo, Lilia N
<lrobledo@blm.gov>; Barnitz Jr, John A <jbarnitz@blm.gov>; Howard, Cody T <cthoward@blm.gov>
Subject: Re: [EXTERNAL] Large Mammal/Jaguar Follow-up Discussion

Greetings, All!

Please find below a rough map to assist with our conversations about how best to target
passages for jaguars and other large mammals (bears, deer, cougars, etc.)

Specific information is available, in terms of lat/long points, etc.

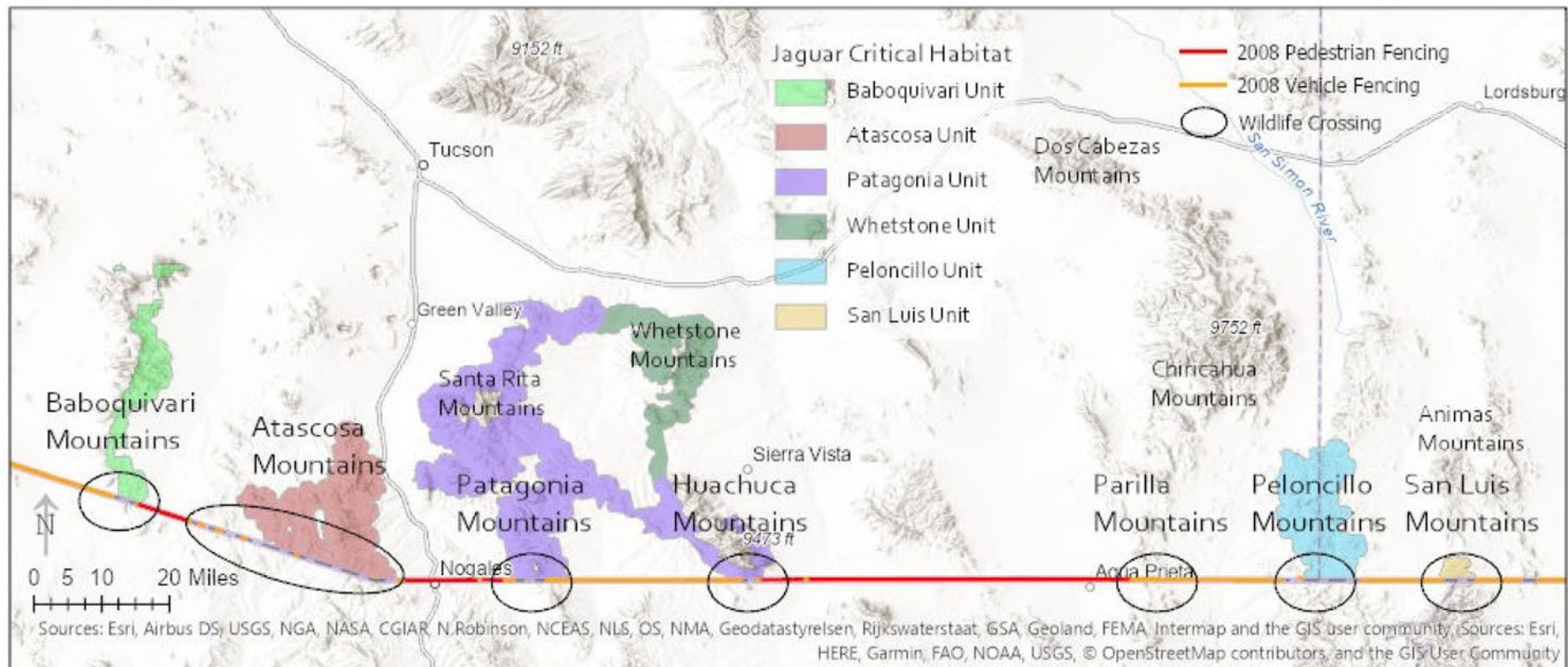
Julie

*Julie McIntyre, PhD
Assistant Field Supervisor
Arizona Ecological Services - Tucson Field Office
U.S. Fish & Wildlife Service*

201 N. Bonita Avenue, Suite 141
Tucson, AZ 85745

Office: 520.670.6150 x 223
Cell: 602.525.4470

From: (b) (6), (b)(6);(b)(7)(C)
Sent: Monday, April 13, 2020 1:35 PM
To: Range, Brent K <brent_range@ios.doi.gov>; McIntyre, Julie <julie_mcintyre@fws.gov>;
(b) (6), (b)(6);(b)(7)(C)
>; Fernandez, Erin <erin_fernandez@fws.gov>; Alanen, Marit
<marit_alanen@fws.gov>; Valentine, Julie A <jvalentine@blm.gov>; Cooke, Scott C
<scooke@blm.gov>; angela.dahlby@usda.gov <angela.dahlby@usda.gov>; (b) (6), (b)(6);(b)(7)(C)
Rod@bio-studies.com <Rod@bio-studies.com>; (b) (6), (b)(6);(b)(7)(C)
>
Cc: Burke, Emily G <eburke@blm.gov>; Fernandez, Juliette <juliette_fernandez@fws.gov>; Hay,
Leslie - FS <Leslie.Hay@usda.gov>; Fitting, Helen <Helen_Fitting@nps.gov>; Radke, Bill
<bill_radke@fws.gov>; Karsch, Rebekah - FS <rebekah.karsch@usda.gov>; Robledo, Lilia N
<lrobledo@blm.gov>; Barnitz Jr, John A <jbarnitz@blm.gov>; Howard, Cody T <cthoward@blm.gov>
Subject: [EXTERNAL] Large Mammal/Jaguar Follow-up Discussion
When: Monday, April 13, 2020 1:30 PM-2:30 PM.
Where: (b) (7)(E) PIN: (b) (7)(E)



From: [Garrett, Alice](#)
To: [Radke, Bill](#); [Harden, Tasha](#)
Cc: [Reagan, Steve](#); [Slone, Sid](#)
Subject: Fw: [EXTERNAL] Re: Border Swing Gates Welded Closed
Date: Wednesday, February 10, 2021 1:13:27 PM

Bill,

Follow up from (b)(6);(b)(7)(E) on the gates. Let me know if onsite information differs.

Most Sincerely,
Alice

Alice Garrett
NWRS-Refuge Supervisor-AZ/NM
503.413.9589
Alice_Garrett@fws.gov

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 9, 2021 3:35 PM
To: Garrett, Alice <alice_garrett@fws.gov>
Subject: RE: [EXTERNAL] Re: Border Swing Gates Welded Closed

Alice – The contractor is still working on the gates as part of their current duties to secure the project area. None of the new barrier and gates has been officially handed over to USBP. Some of the gates had locks install but still had tack welds on them as they weren't officially operational. If there are locks, the contractor is removing the welds. If there aren't any lock, the welds will remain.

The (b) (7)(E) area should be able to be opened. Some of the areas (b) (7)(E)

(b) (7)(E) (b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

From: [Fernandez, Juliette](#)
To: [Reagan, Steve](#)
Subject: Fw: [EXTERNAL] RE: Call with USFWS to Discuss Gabions in San Bernardino NWR
Date: Wednesday, May 13, 2020 8:55:39 AM
Attachments: [Gabions San Bernardino 20200409.docx](#)

Juliette Fernandez
Refuge Supervisor AZ/NM

Juliette Fernandez | U.S. Fish and Wildlife Service | Refuge Supervisor AZ/NM | P.O. Box 1306, Rm 4112,
Albuquerque NM, 87103-1306 | 505-248-6650 Office | 505-933-3501 Cell

From: (b)(6);(b)(7)(C)
Sent: Monday, April 13, 2020 9:15 AM
To: (b)(6);(b)(7)(C) Fernandez, Juliette
<juliette_fernandez@fws.gov> (b) (6) (b) (6)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C); Range, Brent K <brent_range@ios.doi.gov>; Radke, Bill
<bill_radke@fws.gov>
Subject: [EXTERNAL] RE: Call with USFWS to Discuss Gabions in San Bernardino NWR

Good morning,

Please find my notes from last week's meeting attached. Please let me know if anything is missing or captured incorrectly.

Thank you!

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C))
Associate
Agile Group
Infrastructure Program
Program Management Office Directorate
United States Border Patrol
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

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-----Original Appointment-----

From: (b)(6);(b)(7)(C) >
Sent: Tuesday, April 7, 2020 12:04 PM
To: (b)(6);(b)(7)(C); Fernandez, Juliette; (b)(6);(b)(7)(C) (b) (6)

(b) (6) (b)(6);(b)(7)(C) brent_range@ios.doi.gov;
bill_radke@fws.gov

Subject: Call with USFWS to Discuss Gabions in San Bernardino NWR

When: Thursday, April 9, 2020 11:00 AM-11:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: (b) (7)(E) Participant Code: (b) (7)(E)#

MEETING MINUTES

Meeting Information

Date: 9 APR 2020

Subject: Gabions in San Bernardino NWR

Attendees

(b)(6);(b)(7)(C)		Juliette Fernandez	(b)(6);(b)(7)(C)
		Brent Range	Bill Radke

Meeting Minutes

-

(b) (5)

-

- ACTION ITEMS: (b)(6);(b)(7)(C) will tag-up with (b) (6) from USACE to try to get a discussion with SWVC to confirm (1) (b) (5), (b) (7)(E) and (2) the ability to go out and meet with refuge folks and how long it will take. Once that's done, he'll refer them to Bill.

From: [Reagan, Steve](#)
To: [Radke, Bill](#); [Harden, Tasha](#)
Subject: Fw: [EXTERNAL] RE: Generator and portable cell tower on refuge
Date: Wednesday, December 16, 2020 10:11:48 AM

Call me to discuss what response we want to go back with.

From: (b)(6);(b)(7)(C)
Sent: Wednesday, December 16, 2020 10:05
To: Range, Brent K <brent_range@ios.doi.gov>; (b)(6);(b)(7)(C)
Cc: Reagan, Steve <steve_reagan@fws.gov>; (b)(6);(b)(7)(C)
Subject: [EXTERNAL] RE: Generator and portable cell tower on refuge

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Steve,

I just spoke with Fisher Industries to request information about this piece of equipment. It is a GPS repeater (base station) for their survey equipment. They staged it at a (b)(7)(E). They expect that it will remain in that location for at least 2 months while they continue to survey area for the utility installation. I was informed that currently they do have (b)(7)(E). (b)(7)(E)

The equipment is temporarily staged above ground on what he described as "legs". I suggested that (b)(7)(E), (b)(5)

Please let me know if you would like to discuss this further.

(b)(6);(b)(7)(C)
Environmental Planning Lead
Infrastructure Program
Program Management Office Directorate
United States Border Patrol
(b)(6);(b)(7)(C)

From: Range, Brent K <brent_range@ios.doi.gov>
Sent: Monday, December 14, 2020 1:40 PM
To: (b)(6);(b)(7)(C)
Cc: Reagan, Steve <steve_reagan@fws.gov>
Subject: Fwd: Generator and portable cell tower on refuge

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Per our discussion. Thoughts?

Brent K. Range

Program Manager - Inter-agency Borderland Coordinator and Field Communications
Office of the Secretary
U.S. Department of the Interior
1849 C Street NW - Room 5128
Washington D.C.
20240
Cell: 202-897-7206
Office: 202-208-7431
Privileged and Confidential

From: Reagan, Steve <steve_reagan@fws.gov>
Sent: Monday, December 14, 2020 3:37 PM
To: Range, Brent K
Subject: Generator and portable cell tower on refuge

Brent,

Has the border construction been approved to install portable cell phone tower north of the (b) (7)(E) on the refuge?

There is a generator, lights, solar panel, and what appears to be a small cell phone tower/booster. It is located on top of a small hill approximately (b) (7)(E) north of the (b) (7)(E) easement. A road leads to the antenna from the (b) (7)(E). No other equipment is staged in the area.

(b) (7)(E)

Steve

(b) (7)(E)

(b) (7)(E)



2000 ft
1 km



From: Walker, Cassandra M
To: Harden, Tobias; Radtke, Bill
Subject: Fw: [EXTERNAL] SWP Site Visit End of Day Information
Date: Friday, August 14, 2020 9:28:22 AM
Attachments: images001.png
8-13-2020 SWP Site Visit End of Day List.xlsx
Q_Swp_ms_a_nls_nls

I don't know if you got this email or not. I didn't see you in the list but here are the final wildlife passage info. Our passages are: #22, #23, #21, #20, #19, #17, #16, #15. I thought we had 9 points, but they said we only had 8. Although now that see how they numbered our points, I think they left off #18 (either intentionally or accidentally). (b) (5)

Cassandra Walker, PhD
US Fish and Wildlife Service
Refuge Biologist
San Bernardino and Leslie Canyon NWR
website: [San Bernardino NWR](#)
[Leslie Canyon NWR](#)

PO Box 3509
7628 N Hwy 191
Douglas, AZ 85608
Cell: 520-368-6010
Fax: 520-364-2130



From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 12, 2020 10:29 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6); Walker, Cassandra M <cassandra_walker@fws.gov>; McCabe, Mark J <mmccabe@blm.gov> (b)(6);(b)(7)(C)
Subject: [EXTERNAL] SWP Site Visit End of Day Information

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good Day All

We had a very busy day checking out the SWPs in the (b) (7)(E) AORs for the FY19 funded Wall Project (Project Area (b) (7)(E)). Please see the below updated location list showing adjustments made during the site visit (TOTAL 23 SWP). We made some adjustments to locations and ended up removing 8 locations.

Attached you will find the excel sheet that shows the original agenda list, the changes made in the field, and the final list, each on their own sheet. Additionally, I have added some pictures of the group as we worked to determine the best locations and marking the locations.

I would like to thank BLM, USFWS, USACE, TCA, TI, the (b) (7)(E) Station, (b) (7)(E) Station, and the CBP Wall Team for your help with this. We were able to get all involved a great amount of on-site knowledge and education on how to better plan out the SWP for the additional Border Wall Projects in the area (Option packages and FY20 projects).

(b) (7)(E) and (b) (7)(E)		Tucson (b) (7)(E) Project Small Wildlife Passages (SWP)				
Site_Number(1)	Site Number(2)	NAD83 UTM X	NAD83 UTM Y	Latitude	Longitude	Station AOR
28	23	(b) (7)(E)(b) (7)(E)				
41	30					
39	28					
27	22					
25	20					
22	18					
23	27					
21	19					
20	17					
19	16					
17	11					
16	7					
15	6					
38	15					
14	10					
13	9					
11	26					
10	8					
33	5					
2	2					
32	4					
1	1					
31	3					

Site_Number(1) Site Number listed on paperwork used on visit
Site Number(2) Site Number listed on the agenda provided by Wall Team and Sector

(b) (7)(E) a moved SWP, please update with USACE and CBP Wall Team.



Respectfully,
(b)(6);(b)(7)(C)
Operations Officer – Public Lands Liaison
U.S. Border Patrol – Tucson Sector
Office: (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)
E-mail: (b)(6);(b)(7)(C)

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(b) (7)(E) and (b) (7)(E) (Tucso (b) (7)(E) Project Small Wildlife Passages (SWP)						
Site_Number(1)	Site Number(2)	NAD83_UTM_X	NAD83_UTM_Y	Latitude	Longitude	Station AOR
28	23	(b) (7)(E)(b) (7)(E)				
41	30.					
39	28					
27	22					
25	20					
22	18					
23	27					
21	19.					
20	17.					
19	16					
17	11.					
16	7					
15	6					
38	15.					
14	10.					
13	9					
11	26					
10	8					
33	5					
2	2.					
32	4.					
1	1					
31	3.					

SWPs to be deleted are listed below (in red).						
Site_Number(1)	Site Number(2)	NAD83_UTM_X	NAD83_UTM_Y	Latitude	Longitude	Station AOR
30	25.	(b) (7)(E)(b) (7)(E)				
42	31.					
29	24					
40	29.					
26	21.					
12	14.					
9	12.					
37	13.					

Site_Number(1)= Site Number listed on paperwork used on visit

Site Number(2)= Site Number listed on the agenda provided by Wall Team and Sector

 = a moved SWP, please update with USACE and CBP
Wall Team.

(b) (7)(E) and (b) (7)(E)		(Tucson) Project Small Wildlife Passages				
Site Number(1)	Site Number(2)	NAD83_UTM_X	NAD83_UTM_Y	Latitude	Longitude	Station AOR
30	25	(b) (7)(E)(b) (7)(E)				
42	31					
29	24					
28 Moved	23. Moved					
28	23					
41	30					
40	29					
39	28					
39	28					
27	22					
27	22					
26	21					
25	20					
25	20					
22	18					
22	18					
23	27					
23	27					
21	19					
20	17					
19	16					
19	16					
17	11					
16	7					
16	7					
15	6					
15	6					
38	15					
14	10					
13	9					
13	9					
12	14					
11	26					
11	26					
10	8					
10	8					
9	12					
37	13					
33	5					
33	5					
2	2					
32	4					
1	1					
1	1					
31	3					

Site_Number(1)= Site Number listed on paperwork used on visit
Site Number(2)= Site Number listed on the agenda provided by Wall Team and Sector

(b) (7)(E)(Tucson (b) (7) Project Small Wildlife Passages				
Site Number	NAD83_UTM_X	NAD83_UTM_Y	Latitude	Longitude
(b) (7)(E) Area	(b) (7)(E)(b) (7)(E)			
1.				
2.				
3.				
4.				
5.				
(b) (7)(E) Area				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
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16.				
17.				
18.				
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27.				
28.				
29.				
30.				
31.				

From: [Reagan, Steve](#)
To: [Radke, Bill](#); [Harden, Tasha](#)
Subject: Fw: [EXTERNAL] Tucson 10/28 progress map
Date: Wednesday, December 2, 2020 3:52:22 PM
Attachments: [Tucson Pkg](#) (b) (6) [Schematic Progress 12-2-2020.pdf](#)

FYI

From: (b)(6);(b)(7)(C)
Sent: Wednesday, December 2, 2020 13:13
To: Copeland, James -FS <james.copeland@usda.gov>; Reagan, Steve <steve_reagan@fws.gov>
Cc: (b) (6), (b) (7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b) (6)
Subject: [EXTERNAL] Tucson 10/28 progress map

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Jim & Steve,

Please see the attached graphic representation of the project progress to date.

Please let me know if I can provide you with further information at this time.

(b)(6);(b)(7)(C)
Environmental Planning Lead
Infrastructure Program
Program Management Office Directorate
United States Border Patrol
(b)(6);(b)(7)(C)

(b) (7)(E)

(b) (7)(E) HEADINGS

TUCSON PKG (b) (7)(E) BORDER WALL

FISHER – SCHEMATIC PROGRESS MAP

N. T. S.

B (b) (6) December 2, 2020

From: [McIntyre, Julie](#)
To: (b)(6);(b)(7)(C) | (b) (6)
Cc: [Reagan, Steve](#); (b)(6);(b)(7)(C) [Fitting, Helen](#); shane.lyman@usda.gov; [Dahlby, Angela - FS](#); [McCabe, Mark J](#); [Cooke, Scott C](#); [Radke, Bill](#); [Harden, Tasha](#); [Range, Brent K](#); [Lopez, Jayme M](#); [Alanen, Marit](#)
Subject: Fw: Small Wildlife Passages - please respond by Monday to (b)(6);(b)(7)(C) with CBP
Date: Friday, August 21, 2020 4:01:47 PM
Attachments: (b)(7)(E) [Segment Breakdown 4-8-20.pdf](#)
[20200507 AZ Small Wildlife Passages Priority 1 \(3\).kmz](#)
[20200507 AZ All Wildlife Passages to CBP.xlsx](#)
[CBP crossing summary table reduction revision mccabe \(1\).xlsx](#)

Hi (b)(6);(b)(7)(C)

Thanks for the heads up - had to miss the beginning of today's call due to workload deadlines.

Without land ownership lines on this map, it is difficult to discern who the land managers are specifically.

Am attaching the kmz file we compiled and submitted, although FWS Refuges locations are in a separate kmz file (i think that mostly falls under Tucson Project (b)(6);(b)(7)(C) so not on your list, but Bill and Tasha, please correct here).

Also including the excel spreadsheet that has our originally requested locations in UTM format, along with the excel spreadsheet with our top 42 locations across the area.

To ensure full coverage, I am forwarding your request to the entities who contributed small wildlife passage locations on the ground from NPS, BLM, CNF, and FWS. This way, your question will be addressed by the most knowledgeable folks.

NPS = Helen Fitting

BLM = Mark McCabe, Scott Cooke, Jayme Lopez

CNF = Angela Dahlby, Shane Lyman

FWS = Bill Radke, Tasha Harding

I will be out of the office this Monday and after 3:30 pm today, so please coordinate directly with these folks, as needed.

Thanks so much, (b)(6);(b)(7)(C)

Have a wonderful weekend,

Julie

Julie McIntyre, PhD (she/her/hers)
Assistant Field Supervisor
Arizona Ecological Services - Tucson Field Office
U.S. Fish & Wildlife Service
201 N. Bonita Avenue, Suite 141
Tucson, AZ 85745

Cell: 602.525.4470
Currently teleworking

From: [REDACTED] (b)(6);(b)(7)(C)
Sent: Friday, August 21, 2020 12:35 PM
To: McIntyre, Julie <julie_mcintyre@fws.gov>; [REDACTED] (b) (6)
[REDACTED]
Cc: Reagan, Steve <steve_reagan@fws.gov>; Range, Brent K <brent_range@ios.doi.gov>; (b)(6);(b)(7)(C)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: [EXTERNAL] Small Wildlife Passages

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Julie,

On today's DOI working session, we were looking for confirmation that FWS did not identify any small wildlife passage locations in certain project areas. Those areas are the segments in green labeled [REDACTED] (b) (7)(E) on the attached map.

Can you review and let us know by midday Monday if FWS identified locations for passages in these areas?

Please let us know if there is someone else who we should route this request to.

Sincerely,

(b)(6);(b)(7)(C)

Infrastructure Program

Environmental Communications & Outreach

(b)(6);(b)(7)(C)

(b) (7)(E) | (b) (7)(E)

(b) (7)(E)

<u>Agency</u>	<u>ID</u>	<u>Location</u>	<u>Activity</u>	<u>Passage</u>
BANWR	(b) (7)(E)	(b) (7)(E)		0 large wildlife passage
BANWR				0 large wildlife passage
BANWR				0 large wildlife passage
CNF				0 large wildlife passage
CNF				0 large wildlife passage
CNF				0 large wildlife passage
CNF				0 large wildlife passage
CNF				0 large wildlife passage
CNF				0 large wildlife passage
CNF				0 large wildlife passage
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CNF				0 large wildlife passage
CNF				0 large wildlife passage
CNF				0 large wildlife passage
CNF				0 large wildlife passage
CNM				0 large wildlife passage
CNM				0 large wildlife passage
CNM				0 large wildlife passage
CNM				0 large wildlife passage
CNM				0 large wildlife passage
CNM				0 large wildlife passage
CNM				0 large wildlife passage
CNM				0 large wildlife passage
CNM				0 large wildlife passage
CNM				0 large wildlife passage
CNM				0 large wildlife passage
CNM				0 large wildlife passage
CNM				0 large wildlife passage
CNF				0 large wildlife passage
BLM				0 large wildlife passage
CNF				0 large wildlife passage
BLM				0 large wildlife passage
BLM				0 large wildlife passage
BLM				0 large wildlife passage
BLM				0 large wildlife passage
BLM				0 large wildlife passage
CNF				0 large wildlife passage
BLM				0 large wildlife passage

CNF
CNF
CNF

(b) (7)(E)

(b) (7)(E)

0 large wildlife passage
0 large wildlife passage
0 large wildlife passage

<u>Agency</u>	<u>ID</u>	<u>Latitude</u>	<u>Longitude</u>	<u>Priority</u>	<u>Passage</u>
BANWR	(b) (7)(E)	(b) (7)(E)			1 small wildlife passage
BANWR					1 small wildlife passage
BANWR					1 small wildlife passage
BANWR					1 small wildlife passage
BANWR					1 small wildlife passage
BANWR					1 small wildlife passage
BANWR					1 small wildlife passage
BANWR					1 small wildlife passage
CNF					1 small wildlife passage
CNF					1 small wildlife passage
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CNF					1 small wildlife passage
CNF					1 small wildlife passage
CNF					1 small wildlife passage
CNF					1 small wildlife passage
CNF					1 small wildlife passage
CNM					1 small wildlife passage
CNM					1 small wildlife passage
BLM					1 small wildlife passage

[illegible]

(b) (7)(E)

[illegible]

(b) (7)(E)

[illegible]

Site_Number	Priority	Source	NAD83_UTM_X	NAD83_UTM_Y
1		1 SPRNCA	(b) (7)(E)	
2		1 SPRNCA		
3		1 SPRNCA		
4		1 SPRNCA		
5		1 SPRNCA		
6		1 SPRNCA		
7		1 BLM_SAFF		
8		1 BLM_SAFF		
9		1 BLM_SAFF		
10		1 SBNWR		
11		1 SBNWR		
12		1 SBNWR		
13		1 SBNWR		
14		1 SBNWR		
15		1 SBNWR		
16		1 SBNWR		
17		1 SBNWR		
18		1 BLM_SAFF		
19		1 BLM_SAFF		
20		1 BLM_SAFF		
21		1 BLM_SAFF		
22		1 BLM_SAFF		
23		2 SPRNCA		
24		2 SPRNCA		
25		2 BLM_SAFF		
26		2 BLM_SAFF		
27		2 BLM_SAFF		
28		2 SBNWR		
29		2 BLM_SAFF		
30		2 BLM_SAFF		
31		2 SPRNCA		
32		2 SPRNCA		
33		2 SPRNCA		
34		2 SPRNCA		
35		2 SPRNCA		
36		2 SPRNCA		
37		2 BLM_SAFF		
38		2 BLM_SAFF		
39		2 BLM_SAFF		
40		2 BLM_SAFF		
41		2 BLM_SAFF		
42		2 BLM_SAFF		

From: [Fernandez, Juliette](#)
To: [Radke, Bill](#); [Harden, Tasha](#); [Baca, Joaquin](#); [Kundargi, Darrell](#); [Reagan, Steve](#); [Harris, Grant](#); [Burck, Peter](#)
Subject: (b) (7)(E) ell numbers
Date: Friday, March 27, 2020 11:04:53 AM
Attachments: [Water Meters 23Mar20.xlsx](#)

Juliette Fernandez
Refuge Supervisor AZ/NM

Juliette Fernandez | U.S. Fish and Wildlife Service | Refuge Supervisor AZ/NM | P.O. Box 1306, Rm 4112,
Albuquerque NM, 87103-1306 | 505-248-6650 Office | 505-933-3501 Cell

From: (b) (6), (b) (7)(C)
Sent: Friday, March 27, 2020 11:01 AM
To: (b) (6)
Fernandez, Juliette <juliette_fernandez@fws.gov>
Cc: (b) (6), (b) (7)(C)
Subject: [EXTERNAL] RE: [Non-DoD Source] Well numbers

Hi Juliette,

Attached is the most recent update we have on well water use.

Best,

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

(b) (6), (b) (7)(C)
Environmental Scientist
DAWSON
Mobile: (b) (6), (b) (7)(C)

From: (b) (6)
Sent: Friday, March 27, 2020 12:55 PM
To: Fernandez, Juliette <juliette_fernandez@fws.gov>
Cc: (b)(6);(b)(7)(C)
(b) (6), (b) (7)(C)
Subject: RE: [Non-DoD Source] Well numbers

Hi (b) (6), (b) (7)(C) - can you forward this info to Juliette? I am not in the office today.

Thanks - (b) (6)

Sent with BlackBerry Work
(www.blackberry.com)

From: Fernandez, Juliette <juliette_fernandez@fws.gov>

Date: Friday, Mar 27, 2020, 9:08 AM

To: (b) (6)

Subject: [Non-DoD Source] Well numbers

Hi (b) (6)

Could you request the new water use numbers for (b) (7)(E) Well?

Thank you!

Info	Work Days	Date	(b) (7)(E)
Serial #			
Segment			
Well Type			Rehab
Station #			(b) (7)(E)
Supt. 9am Mon			
(b) (7)(E) Water Trucks:		09/30/19	1,868,000
4 @ 4k gal		10/30/19	5,556,700
(b) (7)(E) Water Trucks:		11/30/19	8,288,100
8 @ 4k gal & 1 @ 8 gal		12/20/19	9,799,000
		01/31/19	11,604,700
		02/15/20	
		02/22/20	
		02/25/20	16,689,500
		03/02/20	17,676,100
initial reading 1-day test	2 (b) (7)(E)	03/05/20	17,768,200
rain (b) (7)(E)		03/09/20	18,213,400
rain (b) (7)(E)		03/16/20	18,381,100
	5.5 Project Wide	03/23/20	19,225,100

(b) (7)(E) Total (b) (7)(E) (b) (7)(E) Total (b) (7)(E) - (b) (7)(E) Total

(b) (7)(E)

New

(b) (7)(E)

(b) (7)(E)

3,688,700

2,731,400

1,510,900

1,805,700

5,084,800

986,600

92,100

445,200

167,700

844,000

(b) (7)(E) Total Gallons TD
17,357,100

3,688,700

2,731,400

1,510,900

1,805,700

5,084,800

986,600

92,100

445,200

167,700

844,000

From: [Slone, Sid](#)
To: [McIntyre, Julie](#); [Radke, Bill](#)
Cc: [Harden, Tasha](#); [Richardson, Scott](#); [Fernandez, Erin](#); [Alanen, Marit](#); [Sferra, Susan](#); [Reagan, Steve](#); [Sanchez, Jennifer](#)
Subject: Re: [EXTERNAL] National Geographic Media Inquiry re: Small Animal Wildlife Passages
Date: Tuesday, October 20, 2020 10:16:37 AM

Hi Julie, I'm not aware of CBP plans to monitor the effectiveness of the small wildlife passages. They should be monitored as they may have both positive and negative affects. I know in years past in Nevada when we discussed employing culverts under highways for desert tortoise movement, there was some data that suggested predators learned to hunt these sites. I'm sure many species can use them and thus they will help to allow some movement and gene flow. But will there be an increase in mortalities? I don't know. So there should be some evaluation to determine if they are a real benefit or not.

As far as the flood gate openings, what happens when you close the gates when certain species such as Sonoran pronghorn or desert bighorn sheep happen to be on one side or the other and they can't cross back when they need to. For example, if you have water developments on the U.S. side, sheep temporarily move south across the border where there perhaps is no water, and when they try to return to the U.S., suddenly they are blocked off from that water because the floodgates were closed. Perhaps having the floodgates open (b) (7)(E) may mitigate that to some degree. Again, temporarily opening floodgates may have a positive affect, but there again, there could also be a negative one. I think the floodgates would have a greater positive benefit to small species. . So bottom line, there should be a significant effort to monitor the efficacy of both the small wildlife passages and opened floodgates. By the way, I've cc'd Steve Reagan and Jennifer Sanchez on this email to bring them into the discussion. Anyways, I'm not sure I adequately answered your question but these are my thoughts.

Thanks

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From: McIntyre, Julie <julie_mcintyre@fws.gov>
Sent: Tuesday, October 20, 2020 8:43 AM
To: Radke, Bill <bill_radke@fws.gov>; Slone, Sid <sid_slone@fws.gov>
Cc: Harden, Tasha <Tasha_Harden@fws.gov>; Richardson, Scott <scott_richardson@fws.gov>; Fernandez, Erin <erin_fernandez@fws.gov>; Alanen, Marit <marit_alanen@fws.gov>; Sferra, Susan <susan_sferra@fws.gov>
Subject: Fw: [EXTERNAL] National Geographic Media Inquiry re: Small Animal Wildlife Passages

Hi All ~

Bill and Sid, see last line about CBP "working with FWS to develop a potential strategy to monitor certain locations....."

We have brought up this topic several times on calls, but as far as I am aware, this has not yet moved forward beyond those conversations. Do you all know anything more about this potential monitoring?

Certainly would like to discuss this more if anyone else is interested. I will bring it up on our next border calls.

Cheers,
Julie

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From: Elder, Mary M <mary_elder@fws.gov>
Sent: Tuesday, October 20, 2020 7:34 AM
To: Humphrey, Jeff <jeff_humphrey@fws.gov>; McIntyre, Julie <julie_mcintyre@fws.gov>; Fasbender, Peter <peter_fasbender@fws.gov>
Subject: Fw: [EXTERNAL] National Geographic Media Inquiry re: Small Animal Wildlife Passages

for awareness....

From: (b)(6);(b)(7)(C) >
Sent: Tuesday, October 20, 2020 8:23 AM
To: Ullenberg, Beth <beth_ullenberg@fws.gov>; Elder, Mary M <mary_elder@fws.gov>; Lacayo, Vanessa J <Vanessa_Lacayo@nps.gov>; Schewel, Heidi -FS <heidi.schewel@usda.gov>
Cc: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C); Range, Brent K <brent_range@ios.doi.gov>
Subject: [EXTERNAL] National Geographic Media Inquiry re: Small Animal Wildlife Passages

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Beth, Mary, Vanessa, and Heidi,

I apologize for the last minute notice on this inquiry and our response, below you for your awareness you will find an inquiry from National Geographic regarding small animal wildlife passages and our response. (b)(6);(b)(7)(C) is on maternity leave until December and moving forward, I'll be sure to get these over to you before CBP Public Affairs responds.

Please let us know if you have any questions.

Thanks,
(b)(6);(b)(7)(C)

QUESTION:

Do you have public affairs contacts for them? Do you know who CBP worked with to design them at these agencies? I would think NPS or FWS might have better information than CBP on how these passages were designed. Could the wall team perhaps look at questions 3, 4, and 5?

Questions:

1. Is there any research on how often passages of this size are used? And by what kind of animals?
2. What types of animals can fit through, what cannot? What animals were they designed for?
3. How high up are they on the wall? How far apart are they spaced?
4. Where are they? We'd love to do a map...
5. Will this help alleviate the degree to which the wall blocks off wildlife corridors?

RESPONSE:

U.S. Customs and Border Protection (CBP) is working with the U.S. Army Corps of Engineers to incorporate approximately 50 small wildlife passages within the ~63 miles of new border wall system undertaken by Fiscal Year (FY) 2019 10 U.S.C. § 284 Counter-Narcotics funds and is in the process of finalizing the locations of small

wildlife passages within the ~74 miles of new border wall system undertaken by FY20 284 Counter-Narcotics funds within the U.S Border Patrol Tucson Sector.

Approximately 20 of the small wildlife passages are located along the border within the Organ Pipe Cactus National Monument and an additional approximately 23 small wildlife passages are located along the border east of Naco, Arizona and east of Douglas, Arizona. The strategic locations of these passages are based on the recommendations from subject matter experts such as biologists from the U.S. Fish and Wildlife Service, the Bureau of Land Management, National Park Service, and the U.S. Forest Service. Resource agency subject matter experts analyzed information regarding habitat and water crossing areas to determine the most likely areas small animals would use the openings. Each location was and/or will be verified and adjusted in the field by U.S. Border Patrol (USBP), BLM, NPS, and USFWS to validate the locations and ensure they do not compromise border security operations.

Each small wildlife opening measures approximately 8.5 inches wide by 11 inches tall and is flush with the ground (see attachment). To maintain the operational security, CBP cannot provide a map of the passage locations. With regard to larger animals, many of the rivers and creeks that flow across the border with Mexico require flood gates. These flood gates will typically remain open during monsoon season (from June to September) and before and after large rain events. When open, the flood gates will allow for larger animal crossings. Additionally, there remain areas where no barrier exist, allowing large animals to continue to migrate across the border. The original intent for the small animal wildlife passages in the Rio Grande Valley Sector was to accommodate the ocelot. Generally, several species of rabbit, fox, small desert tortoise, skunk, raccoon, coatimundi, opossum, coyote, gila monster, bobcat, badger, ringtail, and weasel, could potentially use the passages if they do not already go through the fence.

At this time, CBP is not planning to directly monitor the use of the small wildlife passages. However, CBP is working with the U.S. Fish and Wildlife to develop a potential strategy to monitor certain locations.

(b)(6);(b)(7)(C)

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(b)(6);(b)(7)(C)

From: [Harden, Tasha](#)
To: [McIntyre, Julie](#); (b)(6);(b)(7)(C); [Nguyen, Brandon SPB](#)
Cc: [Reagan, Steve](#); (b)(6);(b)(7)(C); [Fitting, Helen](#); shane.lyman@usda.gov; [Dahlby, Angela - FS](#); [McCabe, Mark J](#); [Cooke, Scott C](#); [Radke, Bill](#); [Range, Brent K](#); [Lopez, Jayme M](#); [Alanen, Marit](#)
Subject: Re: Small Wildlife Passages - please respond by Monday to (b)(6);(b)(7)(C) with CBP
Date: Saturday, August 22, 2020 10:56:14 AM

San Bernardino NWR falls completely within the red area and is just to the right of "Tucson Project (b)(6);(b)(7)(C)" - none of the areas identified by FWS SBNWR staff fall in the green.

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From: McIntyre, Julie <julie_mcintyre@fws.gov>
Sent: Friday, August 21, 2020 3:01 PM
To: (b)(6);(b)(7)(C); (b) (6)
Cc: Reagan, Steve <steve_reagan@fws.gov>; (b)(6);(b)(7)(C)
>; Fitting, Helen <Helen_Fitting@nps.gov>; shane.lyman@usda.gov <shane.lyman@usda.gov>; [Dahlby, Angela - FS](#) <angela.dahlby@usda.gov>; [McCabe, Mark J](#) <mmccabe@blm.gov>; [Cooke, Scott C](#) <scooke@blm.gov>; [Radke, Bill](#) <bill_radke@fws.gov>; [Harden, Tasha](#) <Tasha_Harden@fws.gov>; [Range, Brent K](#) <brent_range@ios.doi.gov>; [Lopez, Jayme M](#) <j06lopez@blm.gov>; [Alanen, Marit](#) <marit_alanen@fws.gov>
Subject: Fw: Small Wildlife Passages - please respond by Monday to (b)(6);(b)(7)(C) with CBP

Hi (b)(6);(b)(7)(C)

Thanks for the heads up - had to miss the beginning of today's call due to workload deadlines.

Without land ownership lines on this map, it is difficult to discern who the land managers are specifically.

Am attaching the kmz file we compiled and submitted, although FWS Refuges locations are in a separate kmz file (i think that mostly falls under Tucson Project (b)(6);(b)(7)(C) so not on your list, but Bill and Tasha, please correct here).

Also including the excel spreadsheet that has our originally requested locations in UTM format, along with the excel spreadsheet with our top 42 locations across the area.

To ensure full coverage, I am forwarding your request to the entities who contributed small wildlife passage locations on the ground from NPS, BLM, CNF, and FWS. This way, your question will be addressed by the most knowledgeable folks.

NPS = Helen Fitting

BLM = Mark McCabe, Scott Cooke, Jayme Lopez

CNF = Angela Dahlby, Shane Lyman

FWS = Bill Radke, Tasha Harding

I will be out of the office this Monday and after 3:30 pm today, so please coordinate directly with these folks, as needed.

Thanks so much, (b)(6);(b)(7)(C) !

Have a wonderful weekend,

Julie

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From: (b)(6);(b)(7)(C)

Sent: Friday, August 21, 2020 12:35 PM

To: McIntyre, Julie <julie_mccintyre@fws.gov>; Nguyen, Brandon SPB
<Brandon.Nguyen@usace.army.mil>

Cc: Reagan, Steve <steve_reagan@fws.gov>; Range, Brent K <brent_range@ios.doi.gov>; (b)(6);(b)(7)(C)

[REDACTED]

Subject: [EXTERNAL] Small Wildlife Passages

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Julie,

On today's DOI working session, we were looking for confirmation that FWS did not identify any small wildlife passage locations in certain project areas. Those areas are the segments in green labeled (b) (7)(E) on the attached map.

Can you review and let us know by midday Monday if FWS identified locations for passages in these areas?

Please let us know if there is someone else who we should route this request to.

Sincerely,

(b)(6);(b)(7)(C)

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(b)(6);(b)(7)(C)