



Fiscal Year 2020
San Diego County Border Barrier Project
Stakeholder Feedback Report

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## 1. Introduction and Background

U.S. Customs and Border Protection (CBP), with the assistance of the Department of Defense pursuant to 10 U.S.C. § 284, is replacing approximately 14 miles of existing primary pedestrian barrier with new steel bollard fencing and constructing approximately five miles of new steel bollard fencing in San Diego County, California. The project also includes the installation of a linear ground detection system, road construction or refurbishment, and the installation of a lighting and camera surveillance system supported by grid power.

As part of the planning process for the San Diego County border barrier project, CBP sought input from the public and other stakeholders on potential impacts to the environment, culture, commerce, and quality of life, including socioeconomic impacts. This input will be used to inform the development of an Environmental Stewardship Plan (ESP). It will also inform project planning and execution.

### *1.1 About Environmental Stewardship Plans*

On March 16, 2020, the Secretary of Homeland Security determined that it was necessary to waive certain laws in order to expedite the construction of border infrastructure in areas of high illegal entry to deter illegal crossing of people and prevent drug smuggling into the United States.

The waiver includes various environmental, natural resource, and land management laws, including the National Environmental Policy Act (NEPA) and the Endangered Species Act. The Secretary of Homeland Security's waiver authority is set out in section 102(c) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended ("IIRIRA").

Though certain laws have been waived, the Department of Homeland Security (DHS) remains committed to environmental and cultural stewardship. One of the ways CBP honors this commitment is through the development of the ESP, which, among other things, identifies potential impacts and outlines construction Best Management Practices (BMPs) to eliminate or minimize environmental impacts to the greatest extent possible.

### *1.2 Purpose of this Report*

The purpose of this report is to summarize the input received during the public comment process in order to provide stakeholders and the public transparency into the environmental, cultural, and socioeconomic issues that will be considered during the development of the ESP. It does not present individual comments received or provide responses to the comments.

## 2. Public Input Process

From March 16, 2020 to May 15, 2020, input was collected regarding the potential impacts to the environment, culture, commerce, and quality of life, including socioeconomic impacts. CBP sent informational materials to federal, state, and local agencies, landowners, environmental non-governmental organizations, local tribes, and educational institutions and



solicited input on potential impacts. CBP also solicited input from the general public. The notification and informational materials are included as an appendix to this report.

Comments were collected through email and mail. In addition, CBP staff held virtual site visits, webinars, and phone meetings with landowners, environmental experts, tribal leaders, and other stakeholders. CBP staff plan to continue meeting with impacted stakeholders and knowledgeable individuals throughout the process to ensure environmental impacts are eliminated or minimized.

### *2.1 Public Feedback Review*

All comments received by CBP have been reviewed and categorized. A total of 39 comments were received during the comment period. There were 28 comments identified as unique. The remaining comments were determined to be form letters. As the comments were received, they were reviewed and categorized by their primary topic of concern: environmental, economic, cultural, or quality of life. If a comment included substantive information on multiple topics, they were included in each relevant category.

The Infrastructure Portfolio outreach team reviewed all comments received during the comment period, responded to comments as appropriate, and prepared this report to summarize public input. The comment review was conducted based on explicit concerns; comments that were not specific or contained vague statements were not interpreted by the reviewers. Comments that provided substantive information were further assessed by CBP, often contacting that specific stakeholder to address specific questions or concerns. In some instances, the Infrastructure Portfolio outreach team contacted specific stakeholders to determine the validity of data provided for use in the assessment of environmental impacts.

As a next step, CBP will develop an ESP that will utilize existing and new environmental field survey data, as well as incorporate relevant information and data obtained from the public feedback process.

## **3. Summary of Public Feedback**

The following summarizes CBP's review of the input provided by the public during the comment period. CBP identified 15 categories for the feedback it received from the public.

### *3.1 Border Security*

A total of six (6) comments mentioned border security. Five (5) commenters expressed support for the border barrier due to costs associated with increased immigration and a desire to control the border.

### *3.2 Need for/Effectiveness of the Barrier*

A total of six (6) comments concerned the need for, or effectiveness of, constructing new border barriers. All six comments were against the project. Several commenters noted their



belief that tunnels are continuing to be built underneath the border wall, while others simply stated that the barrier would not deter illegal crossings.

### *3.3 Project Cost*

There were three (3) comments regarding the cost of the barrier project. The commenters shared their belief that the barrier is a waste of taxpayer dollars, and that the money would be better spent combating the COVID-19 pandemic.

### *3.4 Ecosystem/Wildlife/Plant Life*

There were 13 comments regarding the impact of the barrier project on wildlife, plant life, and/or ecosystems. Nine of those commenters stated their belief that the barrier project would have a negative impact. Concerns raised by the commenters included impacts to migration corridors, such as La Posta Linkage, as well as negative impacts to threatened and endangered species and their habitats. Specific species mentioned included the mountain lion, Peninsular bighorn sheep, arroyo toad, Quino checkspot butterfly, least Bell's vireo, and the Hermes copper butterfly.

### *3.5 Historical/Cultural Preservation/Tribal Consultation*

A total of six (6) comments referenced possible historical or cultural impacts or potential impacts to tribal lands. Specific comments related to the Campo, La Posta, and Manzanita Indian Reservations, as well as Camp Lockett—a California Historical Landmark. Commenters urged CBP to consult with tribes in the nearby area whose land or traditional use areas might be affected.

One comment was from the Rincon Band of Luiseño Indians and stated the project could cause potential impacts within their traditional use area to tribal cultural resources and traditional cultural landscapes, and could affect traditional ecological knowledge. The comment noted that these resources encompass the Rincon Band's history, culture, and identity.

### *3.6 Water/Flooding*

A total of seven (7) comments noted the potential for flooding or impacts to groundwater or drinking water due to barrier construction. The comments referenced concerns related to stormwater drainage, erosion and sediment control, impacts to hydrologic flow, impacts to the Jacumba Watershed, and water quality in Campo Creek. Several comments mentioned the potential for flash-flooding.

One commenter expressed concern over groundwater pumping and resultant drawdown taking place over the Campo-Cottonwood Sole Source Aquifer, which could impact drinking water wells.

### *3.7 Crime/Drugs*



One (1) comment mentioned the potential impacts of the project on crime and drugs. The commenter opposed the border barrier, stating their belief that cartels will still find ways to smuggle drugs into the U.S., e.g. by using tunnels.

### *3.8 Humanitarian/Immigration/Policy Reform*

A total of three commenters stated they were opposed to the barrier due to the potential for negative humanitarian impacts. One of the commenters expressed the belief that comprehensive immigration reform is needed.

### *3.9 Impact to Landowners/Businesses/Economic Impact*

A total of two (2) comments mentioned potential impacts to local landowners and businesses and possible broader economic impacts. One commenter noted their support of the border barrier project, but said construction could impact their winery, which is located near the project area. Another commenter cited concerns over potential socioeconomic impacts to both California and Baja California.

One comment also cited concerns related to recreational activities like day-hiking and off-roading, as well as on state parks, including Anza-Borrego Desert State Park.

### *3.10 Impacts to Landscape/View*

One (1) commenter cited potential negative impacts to the landscape or view as a reason for their opposition to the project.

### *3.11 Public Health*

A total of nine (9) comments were related to public health, all of which mentioned the COVID-19 pandemic. Specific concerns mentioned include the potential for construction workers to spread the virus to rural areas with minimal medical infrastructure, and the reliance on construction contractors to protect their workers.

### *3.12 Air Quality*

One (1) comment cited concerns related to air quality, including potential impacts from construction equipment, dust, and hazardous materials.

### *3.13 Waiver of Environmental Laws*

A total of three (3) commenters expressed opposition over DHS' waiver of environmental laws to expedite construction. Comments mentioned specific laws that were waived, such as NEPA. One commenter recommended an additional assessment of the cumulative impacts of the border wall system given that the formal NEPA process was waived.

### *3.14 Friendship Park*



Two comments were related to the rebuilding of Friendship Park, a project that is not included in the San Diego border barrier project at issue here.

### *3.15 Form Letters*

A total of 11 form letters were received from one environmental organization which encouraged members and the general public to submit the letter in response to the request for public comments. These letters stated opposition to development of the infrastructure projects, citing artificial lighting, noise, negative impacts to recreational activities, negative impacts to Quino checkerspot butterfly habitat, water usage and flooding, and the COVID-19 pandemic.

### **4. Review Next Steps**

Stakeholder feedback, along with information from surveys of the project area, will inform project planning and execution. Stakeholder feedback will also inform the development of the ESP. The ESP will include a summary of the comments received and how they were addressed. The ESP will be released to the public through [CBP.gov](https://www.cbp.gov) upon completion.