

DHS NEPA Categorical Exclusions
DHS Instruction 023-01-001-01

Instructions: Section I is to be completed and signed by the Project Proponent for the Proposed Action. Sections II, III, IV, and V are to be completed and signed by agency environmental staff that are working on the Proposed Action, and finally signed by the CBP NEPA Document Signature Authority. Continue on separate sheets if necessary.

SECTION I—Proponent Information

1. Project Proponent: U.S. Border Patrol	2. Project Manager (PM): (b)(6);(b)(7)(c)	2a. PM Contact Info (phone/email): Phone: (b)(6);(b)(7)(c) Email: [REDACTED]
3. Title of Proposed Action: CATEX ELC Geotechnical Survey for Border Area West of Calexico		
4. Description of Proposed Action and Alternatives: (Sufficient information must be provided to answer Section II.) The proposed action consists of conducting a minimally intrusive geotechnical survey of an approximately 2.2 mile stretch of existing primary pedestrian border fence located within the U.S. Border Patrol (USBP) El Centro Sector (ELC) Area of Responsibility (AOR) west of the Calexico Land Port of Entry. The survey would occur from [REDACTED] (b)(7)(E) and within 30 feet of the border. It is anticipated that up to 20 boreholes would be drilled per mile for a total of up to 40 boreholes. The boreholes would be drilled using a standard wheeled or tracked geotechnical drilling rig. The boreholes would be approximately 4 inches in diameter and drilled to a depth between 5 and 20 feet. Soil and rock samples would be taken continuously during drilling. It is anticipated that the geotechnical survey would be completed in approximately five field days utilizing a crew of four people. Once drilling is completed, the holes would be backfilled and restored to pre-project condition. Staging of equipment, if required, would occur within previously disturbed portions of the existing adjacent border road. No vegetation clearing or grading would be required. No above ground structures would be modified.		
5. Purpose and Need for Proposed Action: The purpose of the proposed action is to enhance the overall international border security in the ELC AOR. The action is needed to provide U.S. Customs and Border Protection (CBP) engineers an understanding of the subsurface geophysical conditions underlying a section of existing tactical infrastructure in the ELC AOR.		
6. Document Preparer (Name and Title): (b)(6);(b)(7) Environmental Protection Specialist Border Patrol and Air and Marine Program Management Office	6a. Signature: (b)(6);(b)(7)(c)	6b. Date: 7/3/2017

SECTION II—Environmental Staff: Proposed Action Clearly Fits a Category of Excludable Actions (DHS Instruction 023-01-001-01)

7. The entire Proposed Action clearly fits within the category of excludable actions set forth as Categorical Exclusions (CatEx) # A7 in DHS Instruction 023-01-001-01.
 The entire Proposed Action does not clearly fit within any of the categories of excludable actions set forth in DHS Instruction 023-01-001-01.

Remarks:

The entire proposed action clearly fits within the category of excludable actions set forth as Categorical Exclusion (CATEX) # A7 in DHS Instruction 023-01-001-01, which states:

The commitment of resources, personnel, and funding to conduct audits, surveys, and data collection of a minimally intrusive nature. If any of these commitments result in proposals for further action, those proposals must be covered by an appropriate CATEX. Examples include, but are not limited to:

(a) Activities designed to support the improvement or upgrade management of natural resources, such as surveys for threatened and endangered species, wildlife and wildlife habitat, historic properties, and archeological sites; wetland delineations; timber stand examination; minimal water, air, waste, material and soil sampling; audits, photography, and interpretation.

(b) Minimally-intrusive geological, geophysical, and geo-technical activities, including mapping and engineering surveys.

(c) Conducting Facility Audits, Environmental Site Assessments and Environmental Baseline Surveys, and

(d) Vulnerability, risk, and structural integrity assessments of infrastructure.

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SECTION III—Environmental Staff: Analysis as to Whether the Proposed Action is a Part of a Larger Action (DHS Instruction 023-01-001)

8. Proposed Action is Not a Piece of a Larger Action OR
 Proposed Action is a Piece of a Larger Action.

Remarks: The proposed action is not a piece of a larger action. The geotechnical survey has independent utility. If the survey results in proposals for further action, those proposals would be covered by an appropriate environmental document.

SECTION IV—Environmental Staff: Extraordinary Circumstances Analysis (DHS Instruction 023-01-001)

9. Extraordinary Circumstances:

- Based on my review of the information that has been provided to me and that I have in my possession, no extraordinary circumstances apply to the Proposed Action (see A through K below); OR
 Based on my review of the information that has been provided to me and that I have in my possession, at least one extraordinary circumstance does apply to the Proposed Action (see A through K below). Therefore, a CatEx does NOT apply.

YES	NO	<i>For A through K below, check the appropriate box (Yes or NO) and provide description as appropriate.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. Will the Proposed Action have a potentially significant effect on public health or safety? <i>Remarks:</i> Any project-specific hazard(s) affecting project workers would be reduced based on strict adherence to Occupational Health and Safety Standards and other relevant safety laws, rules and regulations. The geotechnical survey is a common industry standard process that is executed in conformance with professional standards. The survey corridor is located in a restricted area that is not accessible to the public.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	B. Will the Proposed Action significantly affect species or habitats protected by the Endangered Species Act, Marine Mammal Protection Act, the Migratory Bird Treaty Act, or the Magnuson-Stevens Fishery Conservation and Management Act? <i>Remarks:</i> The project involves conducting a limited geotechnical survey of a minimally invasive nature located in a previously disturbed and developed area. The project area is devoid of vegetation. There is no potential for the presence of protected species or their habitat to occur within the project area. The project area is not located within or near designated critical habitat. Given the limited scope and duration of the proposed geotechnical survey, the heavily disturbed location, and adherence to standard environmental BMPs, CBP has determined that the proposed action will have no effect on protected species or their designated critical habitat.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	C. Will the Proposed Action significantly affect a district, site, highway, structure, or object that is listed or eligible for listing in the National Register of Historic Places, or will it significantly affect historic or cultural resources, traditional or sacred sites, or result in the destruction of a significant scientific, cultural, or historic resource? <i>Remarks:</i> CBP has defined the Area of Potential Effect (APE) for the geophysical survey as the proposed locations of the boreholes. Given that all elements of the undertaking would occur at or below grade, there is no additional above-ground geographic area included in the APE. The APE is located in a heavily previously disturbed border enforcement area and falls entirely within the disturbance limits surveyed and analyzed for the construction of the Calxico segments of primary pedestrian border fence and border road. A records search of the APE conducted prior to construction in 1997 resulted in the identification of no sites within the APE; similarly, a visual examination of the project area yielded no observed cultural resources. Based on a lack of historic buildings, structures, sites, districts or objects located within the APE, and the previously disturbed nature of the area surrounding the borehole locations, CBP has made a determination of no historic properties present or affected for this Undertaking. On June 26, 2017, CBP sent a letter to the California State Historic Preservation Officer (SHPO) requesting concurrence with this determination.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	D. Will the Proposed Action significantly affect an environmentally sensitive area? <i>Remarks:</i> The proposed action would not affect an environmentally sensitive area. The survey corridor is located in a previously disturbed area and not within or near an environmentally sensitive area.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	E. Will the Proposed Action result in a potential or threatened violation of a federal, state, or local law or administrative determination imposed for protection of the environment? <i>Remarks:</i> The proposed project would not violate environmental laws or administrative determinations.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	F. Will the Proposed Action result in an effect on the quality of the human environment that is likely to be highly controversial, highly uncertain, or involve unique or unknown environmental risks? <i>Remarks:</i> Because of the limited scope of this project, it would not result in controversial, uncertain, or unique effects on the quality of the human environment.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	G. Will the Proposed Action employ new or unproven technology that is likely to involve unique or unknown environmental risks? <i>Remarks:</i> The proposed action would not employ any new or unproven technology and would be based on standard methods that were used on past projects of a similar nature.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	H. Will the Proposed Action set a precedent for future actions that have significant effects? <i>Remarks:</i> The proposed project would not set a precedent for any future actions.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	I. Is the Proposed Action significantly greater in scope or size than is normally experienced for this particular category of action? <i>Remarks:</i> The project is a limited, small-scale action that is similar in nature to projects executed in the past. CATEXs have routinely been used to provide NEPA coverage for these projects.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	J. Will the Proposed Action significantly degrade an already poor environmental condition at or near the project area?

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<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Remarks:</i> There are no other known existing poor environmental conditions on or near the project area. K. Is the Proposed Action related to other actions with individually insignificant, but cumulatively significant impacts? <i>Remarks:</i> This project is a standalone action and is not related to any other actions.
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SECTION V – Environmental Analysis Determination

10. Proposed Action Qualifies for Categorical Exclusion (CatEx) # A7 (See Table 1); OR
 Proposed Action does NOT qualify for a CatEx and further environmental analysis is required.

11. *Remarks:* Based on a review of the information provided for the proposed action, there are no extraordinary circumstances associated with the action and therefore the action qualifies as a CATEX # A7 under DHS Instruction 023-01-001-01.

13. BPAM PMO Signature Authority Name and Title: (b)(6);(b)(7) Environmental Branch Chief Border Patrol and Air and Marine Program Management Office	13a. BPAM PMO Signature Authority Signature: (b)(6);(b)(7)(c)	13b. Date: 07/05/17
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