

DHS NEPA Categorical Exclusions
DHS MD 023-01

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.

PROJECT NAME: CATEX RGV Levee Floodwall Minimally Intrusive Geo-Technical Survey

SECTION I –Proponent Information

1. Project Proponent: U.S. Customs and Border Protection US Border Patrol	2. Project Manager (PM): (b)(6);(b)(7)(c)	2a. PM Contact Info (phone/email): (b)(6);(b)(7)(c)
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3. Title of Proposed Action:
CATEX RGV Levee Floodwall Minimally Intrusive Geo-Technical Survey

4. Description of Proposed Action and Alternatives: (Sufficient information must be provided to answer Section II.)

The proposed action includes conducting a minimally intrusive geo-technical survey of approximately 28 miles of existing IBWC levee and lands near the Rio Grande Valley River located in the Rio Grande Valley Sector. The survey will be within the project area outlined in Figure 1. The corridor within the IBWC levee is located in a heavily previously disturbed urban area and will occur entirely on a man-made levee composed of engineered fill. Access to the project area will be provided by levee access and other established roads.

Borings will be approximately 3-5 inches in diameter and range from 15 to 40 feet in depth based on the locations of the sampling. Borings will be located at various locations within the project area to include potential gate locations, irrigation culverts passing through the levee. Once drilling is completed, the holes will be backfilled and restored to pre-project condition. The boreholes will be drilled using a standard wheeled or tracked geo-technical drilling rig. Staging of equipment, if required, will occur within previously disturbed portions of the existing road.

5. Purpose and Need for Proposed Action:

The purpose of the proposed action is to enhance the overall international border security in the Rio Grande Valley Sector. The action is needed to provide CBP engineers an understanding of the subsurface geophysical conditions of the project area.

6. Environmental Manager/Project Manager (Name and Title): (b)(6);(b)(7)(C) Real Estate and Environmental Branch Chief Border Patrol & Air and Marine Program Management Office	6a. Signature: (b)(6);(b)(7)(c)	6b. Date: June, 30, 2017
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SECTION II—Environmental Staff: Proposed Action Clearly Fits a Category of Excludable Actions (DHS MD 023-01)

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

Remarks:
The entire Proposed Action clearly fits within the category of excludable actions set forth as Categorical Exclusion (CATEX) A7 in DHS MD 023-01.

A7 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.

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(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.

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

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 geo-technical survey has independent utility. If the survey results in proposals for further action, those proposals will be covered by an appropriate environmental document.

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

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.

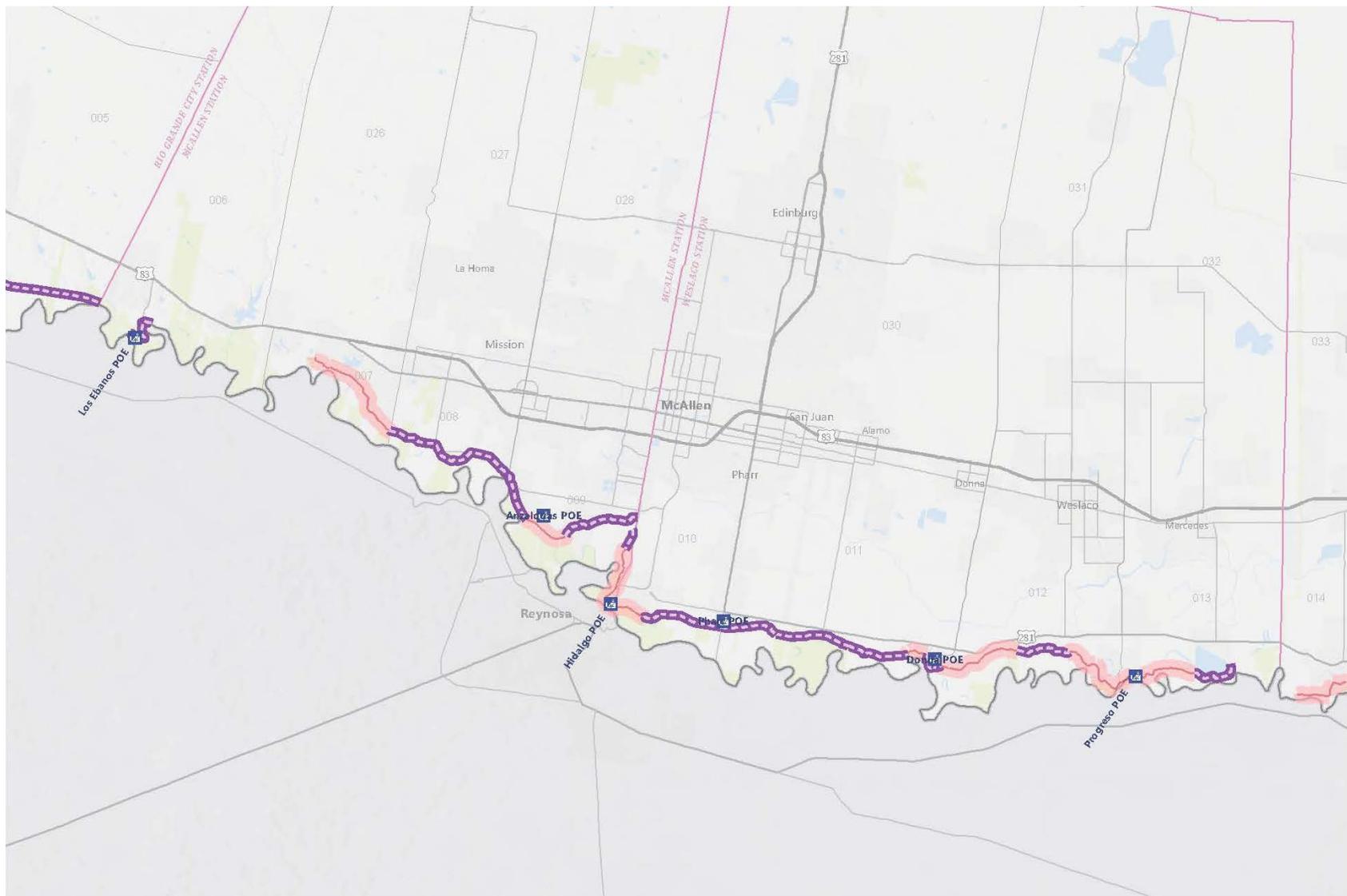
YES	NO	For A through K below, check the appropriate box (Yes or NO) and provide description as appropriate.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>A. Will the Proposed Action have a potentially significant effect on public health or safety?</p> <p><i>Remarks:</i> Any project-specific hazard(s) affecting project workers will 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 restricted area that is not accessible to the public.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>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.?</p> <p><i>Remarks:</i> The project involves conducting a limited geo-technical survey of a minimally invasive nature located mostly in a previously disturbed IBWC levee, farm lands, and some undisturbed lands. Given the limited scope and duration of the proposed geo-technical survey, the heavily disturbed location, and adherence to standard environmental BMPs, CBP has determined that the proposed action will have no effect on Federally threatened and endangered species or their designated critical habitat. CBP will conduct nesting surveys as necessary for actions conducted within the nesting season (March 15-August 15).</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>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?</p> <p><i>Remarks:</i> The project involves a limited geo-technical survey occurring along existing previously disturbed IBWC levee, farm lands, and some undisturbed lands. Borings will be approximately 3-5 inches in diameter and range from 15 to 40 feet in depth based on the locations of the sampling. CBP will coordinate with the TX SHPO and appropriate THPOs regarded cultural and historic resources.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>D. Will the Proposed Action significantly affect an environmentally sensitive area?</p> <p><i>Remarks:</i> The proposed action will not affect an environmentally sensitive area. The project involves a limited geo-technical survey occurring along existing previously disturbed IBWC levee, farm lands, and some undisturbed lands. Borings will be approximately 3-5 inches in diameter and range from 15 to 40 feet in depth based on the locations of the sampling. CBP will conduct nesting surveys as necessary for actions conducted within the nesting season (March 15-August 15). CBP will coordinate with USFWS National Wildlife Refuge regarding actions on the Lower Rio Grande Valley National Wildlife Refuge.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>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?</p> <p><i>Remarks:</i> The proposed action should not violate any Federal, state, or local law.</p>

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<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>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?</p> <p><i>Remarks:</i> The proposed action should not have an adverse effect on the human environment and should not be controversial relative to scientific validity or involve unique or unknown environmental risks.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>G. Will the Proposed Action employ new or unproven technology that is likely to involve unique or unknown environmental risks?</p> <p><i>Remarks:</i> The proposed action does not involve the use of any new or unproven technologies. The proposed action consists of typical industry standard methods. No unknown environmental risks are associated with the proposed action.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>H. Will the Proposed Action set a precedent for future actions that have significant effects?</p> <p><i>Remarks:</i> The proposed action is an accepted practice and does not establish a precedent for future actions.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>I. Is the Proposed Action significantly greater in scope or size than is normally experienced for this particular category of action?</p> <p><i>Remarks:</i> The proposed action is not larger in scope than what would be considered typical for this type of action.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>J. Will the Proposed Action significantly degrade an already poor environmental condition at or near the project area?</p> <p><i>Remarks:</i> The proposed action will not cause any loss to the characteristics that make the areas visually unique or sensitive, nor will it substantially degrade the existing visual character or quality of the sites and its surroundings.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>K. Is the Proposed Action related to other actions with individually insignificant, but cumulatively significant impacts?</p> <p><i>Remarks:</i> No other long-term actions are associated with the proposed action. Therefore, no cumulative significant impacts are associated with the proposed action.</p>
SECTION V – Environmental Analysis Determination		
<p>10. <input checked="" type="checkbox"/> Proposed Action Qualifies for Categorical Exclusion (CatEx) #A7 (See Table 1); OR <input type="checkbox"/> Proposed Action does <u>NOT</u> qualify for a CatEx and further environmental analysis is required.</p>		
<p>11. <i>Remarks:</i> 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 MD 023-01.</p>		
<p>12. BPAM PMO Signature Authority Name and Title:</p> <p>(b)(6);(b)(7)(C) Real Estate and Environmental Branch Chief Border Patrol & Air and Marine Program Management Office</p>	<p>12a. Program Management Signature Authority Signature:</p> <p>(b)(6);(b)(7)(C)</p>	<p>12b. Date:</p> <p>June 30, 2017</p>

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Figure 1. Project Area



KEY: Purple=Project Area; Pink=Existing Levee Floodwall/Border Fence