

From: (b) (6)
To: (b) (6)
Cc: (b) (6)
Subject: Border Fence Segments O-1, O-2, & O-3 (IBWC / Public Question)
Date: Friday, May 03, 2013 11:40:37 AM
Attachments: [O-3 Plan 10172012.pdf](#)
[O-2 Plan 10152012.pdf](#)
[O-1-O-3 REPR DRAFT.pdf](#)
[O-1 Plan 10162012.pdf](#)
[02-012\(a\)USIBWC Approval Letter Segments O-123.pdf](#)
Importance: High

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(b) (6) from IBWC notified me about the attached documents (first 4 documents). They indicated that they were provided these documents by a reporter who obtained these by means of a FOIA Request. The IBWC have not been provided any updates regarding the current O segment work we are planning, but they are fully aware of this project (as is the public). The reporter is asking IBWC if they have reviewed the changes being proposed to the alignment of the border fence.

IBWC is asking us if DHS is planning to revise the alignments for the border fence as recommended by the USACE for Roma, Rio Grande City and Los Ebanos, Texas. Additionally, IBWC is asking if the USACE determine if revised alignment still falls within the same grid in FLO-2D? The second question stems from the approval letter CBP received from IBWC back in February 2012 for the fence per the Hydrology study conducted by Baker (see attached).

Please advise how we want to address this question since anything we write may be filtered to this reporter.

Thanks,

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(b) (6), PMP
Project Manager, TI Project Division
Border Patrol Facilities and Tactical Infrastructure
Program Management Office
Facilities Management and Engineering

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Excel as a trusted strategic partner enhancing Border Patrol's proud legacy.



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**Pedestrian Fence
RGV Map Series
Project: O-3**



★ Potential Relocation

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- Baker_Fence_O-3_60
- Recommended Fee Acq.
- FEE TRACT
- PARENT TRACT
- PERPETUAL RD EASEMENT
- TEMPORARY WORK AREA
- USFWS Fee Owned Tracts

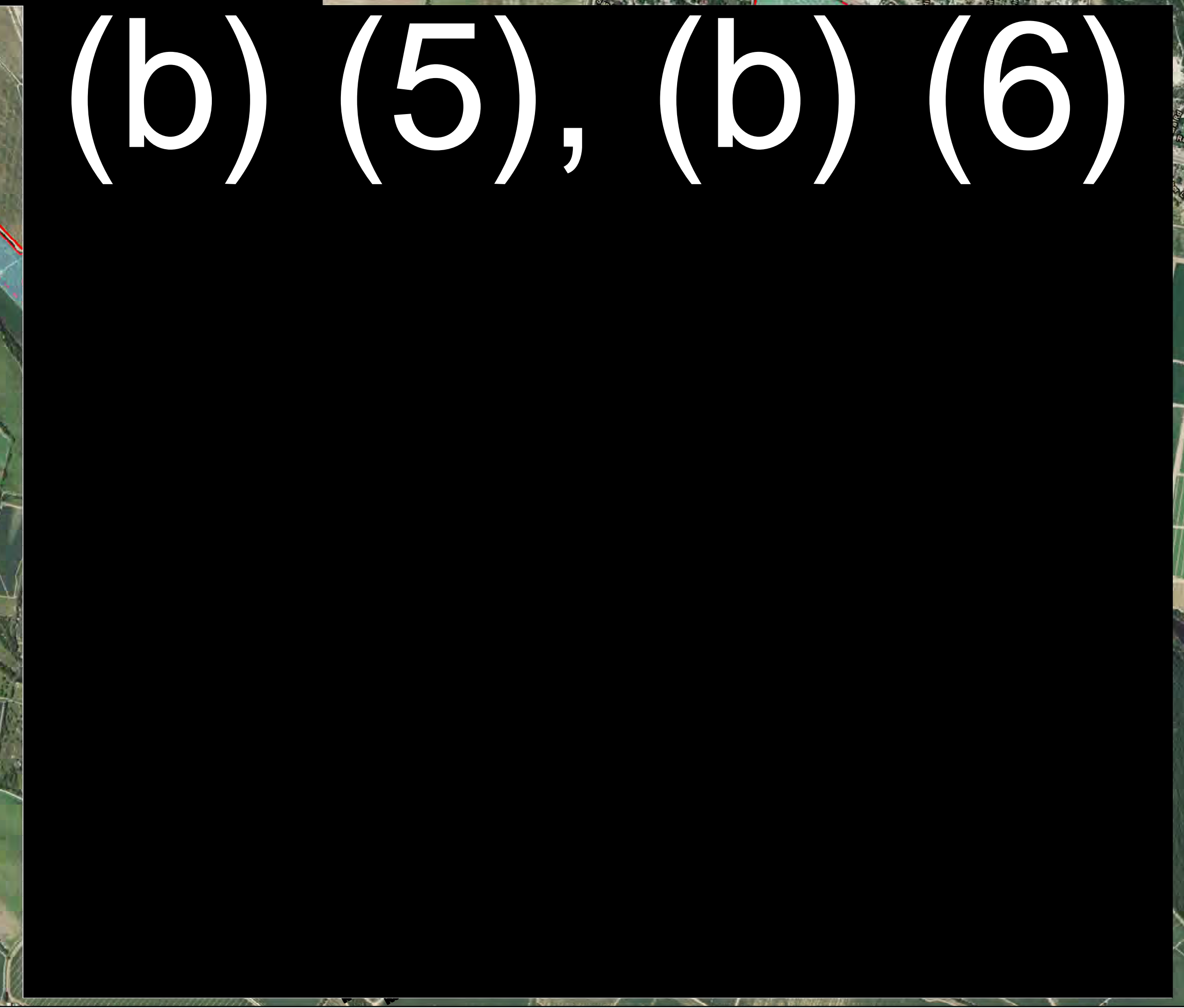
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Feet



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of Engineers®**

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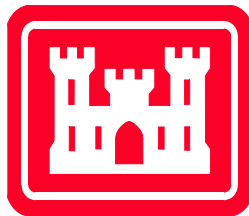




Border Patrol Facilities and Tactical Infrastructure (BPFTI) Program Management Office (PMO)

Real Estate Plan Proposed Pedestrian Fencing Segments O-1, O-2, O-3 Starr & Hidalgo Counties, Texas

As of:
30 November 2012



Prepared By:
The U.S. Army Corps of Engineers, Fort Worth District

REAL ESTATE PLANNING REPORT – O-1, O-2, O-3

REAL ESTATE PLANNING REPORT

PF225 Segments O-1-O-3; Rio Grande Valley Sector (Starr & Hidalgo Counties, Texas)

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SUMMARY SHEET

PF225 Segments O-1-O-3; Rio Grande Valley Sector (Starr & Hidalgo Counties, Texas)

DATE: 30 November 2012

1. Fee Title (235 Acres)
2. Easements (86 Acres)
3. Improvements
4. Hazard Removals
5. Mineral Rights
6. Damages
7. Contingencies
8. Relocations
9. Uniform Relocation Assistance
10. Acquisition Administrative Costs

TOTAL

ROUNDED

Estimated for Customs and Border Protection Planning Purposes:

DOJ Administrative Cost for Condemnation: (b) (5)

Estimate based on 95% of cases resulting in condemnation.

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REAL ESTATE PLANNING REPORT

PF225 Segments O-1-O-3; Rio Grande Valley Sector (Starr & Hidalgo Counties, Texas)

1. AUTHORITY.

The request for this report, along with an analysis of the real estate status in project areas known as O-1, O-2, and O-3 was via phone conversation on September 5, 2012 with Facilities Management and Engineering (FM&E) and U.S. Custom and Border Protection's (CBP) Office of Chief Counsel (OCC).

Department of Homeland Security (DHS) authority for real estate acquisition is as follows:

Public Law 107-296, 116 Stat. 2311 and codified at 6 U.S.C. Sections 202, 251, 551, and 557, which transferred certain authorities to the Attorney General to the Secretary of Homeland Security; and by DHS Delegation No. 7010.3(II)(B), which delegated land acquisition authority from the Secretary of Homeland Security to the Commissioner of CBP; and by CBP Delegation 05-004, which delegated land acquisition authority to the Acting Executive Director, Facilities Management and Engineering.

2. PROJECT.

The Pedestrian Fence 225 (PF225) project involves constructing pedestrian fencing intended to deter illegal entry of persons and contraband into the United States. There are three proposed segments of fencing, referred to as Segments O-1 through O-3. Segments O-1 and O-2 are located in Roma and Rio Grande City, Starr County, Texas, respectively. Segment O-3 is located in Los Ebanos, Hidalgo County, Texas.

3. SITE SELECTION TEAM.

Alignment of the proposed PF225 fence segments is based upon a collaborative effort from CBP and the International Boundary and Water Commission (IBWC). IBWC was involved to analyze any potential impediment the fence might cause to the flow of the Rio Grande during flood events. Input from CBP was based on law enforcement and operational strategies of their agency. USACE is involved in the capacity of engineering, contractual services, project management, and real estate.

4. SITES INSPECTED.

The proposed alignment has been strategically analyzed by CBP from a law enforcement perspective and by IBWC from a flood control perspective. The fence cannot be placed in an area that would potentially divert flood waters of the Rio Grande away from the United States and into Mexico, thus violating international treaty. As a result of the strategic location of the proposed alignment, the District has not performed a site inspection. This report will contain suggestions to consider repositioning the proposed alignment of the fence to affect fewer landowners, residences, and structures. However, these suggestions should be considered in conjunction with the functionality of the proposed tactical infrastructure.

5. DESCRIPTION AND LOCATION OF SELECTED SITE.

The project area is located near the Rio Grande River which serves as the international boundary between the United States and Mexico (see **EXHIBIT “A”**). All three project areas have a combination of native brush, commercial, and residential properties, as well as cropland in O-2 and O-3.

6. RELOCATIONS.

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7. ATTITUDE OF OWNERS AND NEIGHBORHOOD

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8. OUTSTANDING INTERESTS AND RESERVATIONS.

Any outstanding mineral rights will not be known until title evidence is obtained. The recommended fee estate will except mineral and water rights.

9. SALES AND SUPPORTING DATA.

USACE has identified two relevant sales comparables indicative of vacant land in the floodplain in Starr and Hidalgo Counties.

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10. VALUATION

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11. UNIFORM RELOCATION ASSISTANCE COSTS.

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12. RECOMMENDED ESTATE.

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Fee Estate Language Recommendation:

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Perpetual Road Easement Estate Recommendation:

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Temporary Road Easement Estate Recommendation:

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Temporary Work Area Estate Recommendation:

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13. RECAPTURE RIGHTS.

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14. GOVERNMENT-OWNED PROPERTY.

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15. PROPOSED CONSTRUCTION.

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16. POSSESSION DATE.

At the time of this report, there have been no funds set aside for construction of this project. As such, no possession date is required.

17. ADMINISTRATIVE COSTS.

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18. SCHEDULE OF ACQUISITION.

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19. SUMMARY AND RECOMMENDATION.

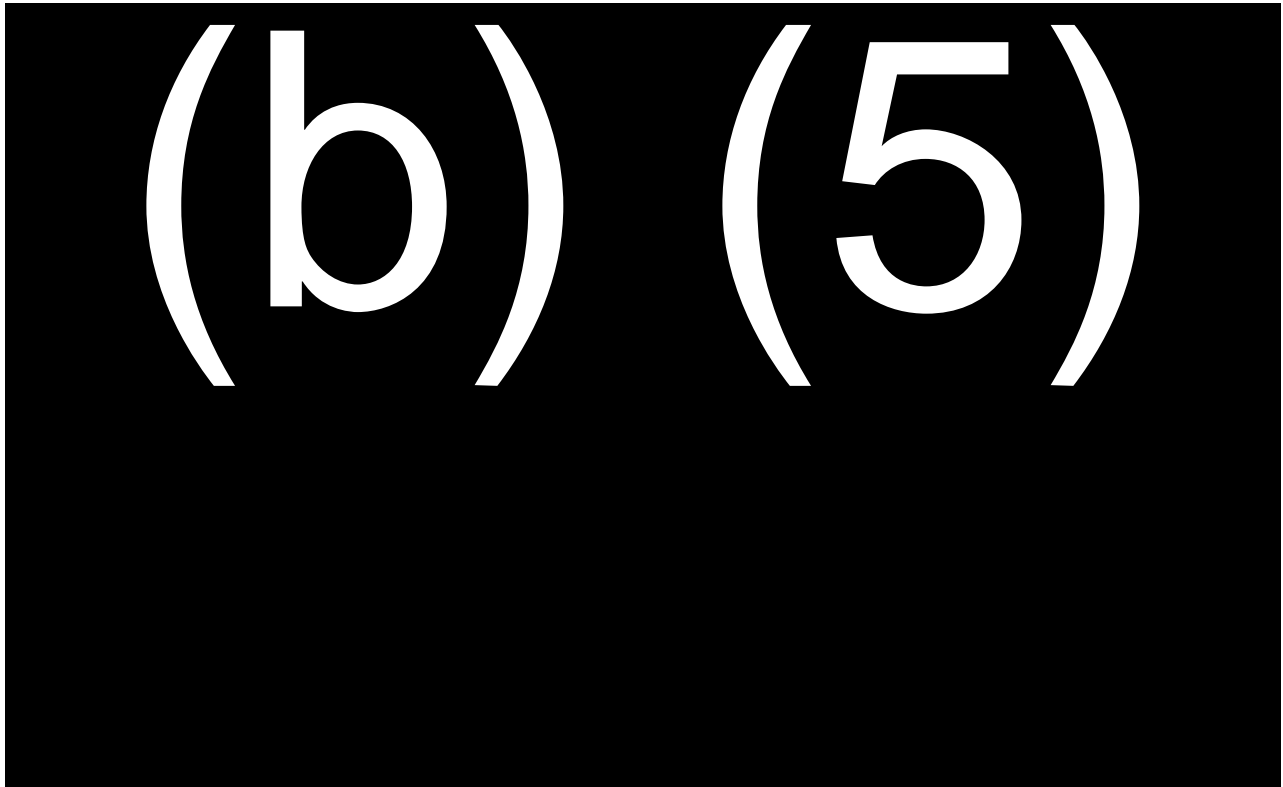
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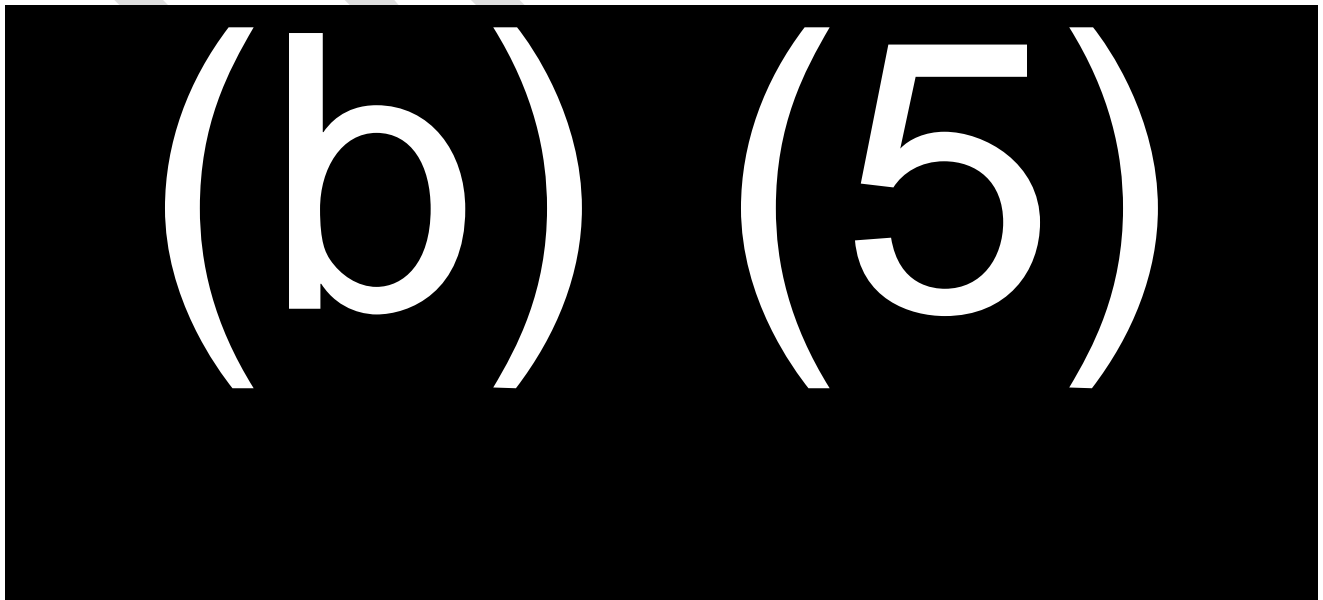
3. Fence realignment:

The below list of tracts reflects USACE recommendation of deviation from the proposed IBWC-approved alignment. The information provided is to assist in the decision making process.

O-1 Roma, Texas:



O-2 Rio Grande City, Texas



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O-3 Los Ebanos, Texas

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SUMMARY

The construction of segments O-1, O-2, and O-3 is going to be high profile project for the Government in addition to the affected landowners and communities. USACE-RE has presented several outstanding issues and recommendations, as well as cost estimates to assist with CBP decision. CBP and DHS should review the recommendations provided and determine a final path forward.