

From: (b)(6);(b)(7)(C)
To:
Cc:
Subject: FW: Meeting to discuss input for Scheduling of Funding Briefings
Date: Tuesday, January 19, 2010 10:33:58 AM
Attachments: [01_20_10_Chief \(b\)\(6\);\(b\)\(7\)\(C\) issues brief.ppt](#)
Importance: High

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

As discussed, please review slides #2 and #5

My primary question was regarding RE Certification for the D-5A road improvement project cited on slide #5?

Thanks!

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 19, 2010 9:13 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Meeting to discuss input for Scheduling of Funding Briefings

I inadvertently attached the older version. Here is the current. Sorry for the confusion.

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

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

Sent: Tuesday, January 19, 2010 8:24 AM

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

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

Subject: RE: Meeting to discuss input for Scheduling of Funding Briefings

Updated version attached..still requires confirmation of construction start dates for multiple projects, the O-11 thru O-21 slide completely updated and the real estate slide updated (or deleted).

Thanks

(b)(6);(b)(7)(C) << File: 01_20_10_Chief (b)(6);(b)(7)(C) issues brief.ppt >>

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

Sent: Monday, January 18, 2010 5:11 PM

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

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

Subject: RE: Meeting to discuss input for Scheduling of Funding Briefings

Attached is my first pass at updating the "Chief (b)(6);(b)(7)(C) briefing, which is scheduled to occur on Wednesday afternoon.

(b)(6);(b)(7)(C) -there are a number of slides that need to be completely updated. Others require dates to be filled in and or verified. **Black text** means no change from the last brief; **Red text** reflects updated info and **Blue text** reflects missing dates to be completed.

Let me know if you have any questions.

Thanks

(b)(6);(b)(7)(C) < File: 01_20_10_Chief (b)(6);(b)(7)(C) sues brief.ppt >>

CBP Office of Finance Facilities Management and Engineering

Tactical Infrastructure Update

January 20, 2010



U.S. Customs and
Border Protection



NON-RESPONSIVE



NON-RESPONSIVE



NON-RESPONSIVE



NON-RESPONSIVE



NON-RESPONSIVE

NON-RESPONSIVE



- Meeting with Commissioner Ruth on Jan 6th went very well
 - Ruth agreed no additional modeling is required and to “informally” discuss the fence segments with the new Mexican IBWC Commissioner to determine if he will support
 - [REDACTED] (b) (5)
 - Earliest construction could occur is [REDACTED] (b) (5) due to real estate acquisition requirements {NEED TO VERIFY DATE}

NON-RESPONSIVE



NON-RESPONSIVE



NON-RESPONSIVE



NON-RESPONSIVE



NON-RESPONSIVE

RGV Fence Segments O-1,2,3:

- Final Fence Alignment not yet approved; subject to IBWC authorization
- Realignment will require additional land and/or footprint revisions
 - (b) (5)
 - (b) (5)
- (b) (5)
 - (b) (5)
- 2 Landowners on O-1 have submitted formal inquiries:
 - Private owner wants Staging Area back to sell to retail developer – wrote Congressman
 - City of Roma asked AUSA describe fence/wall alignment & negotiate OR give land back

Comprehensive Tactical Infrastructure Maintenance and

The TI Program has finalized the development of a Comprehensive Tactical Infrastructure Maintenance and Repair (CTIMR) contract for long-term maintenance and repair of TI assets along the Southwest Border

Four contracts are planned: Area 1 (San Diego and El Centro Sectors), Area 2 (Yuma and Tucson Sectors), Area 3 (El Paso and Marfa Sectors), and Area 4 (Del Rio, Laredo, and Rio Grande Valley Sectors)

Significant progress was made over the last several weeks. The RFPs are completed and approved for release. The first site visits were conducted in Yuma, Tucson, El Paso and Marfa. Next site visit is scheduled for February in El Centro and San Diego.

Dates of note:

- Blue Review: Completed November 2009
- Work Area 2 and 3 RFP: Released December 2009
- Work Area 1 RFP: Released January 2010
- Work Area 2 and 3 RFP Closing Date: January 2010
- Work Area 1 RFP Closing date: February 2010
- Work Area 4 RFP: February 2010
- Work Area 4 RFP Closing date: March 2010
- Contract Awards: June-August 2010



NON-RESPONSIVE



20 Interim Contract Packages

- Thirteen contracts awarded
- Two contract packages are ready for award

(b) (5)

- Existing Yuma and Tucson Interim M&R contracts recently extended 30 days

Contracts awarded to date total to \$20,831,183

- The original estimated value of the contracts awarded was \$ 48,212,280
- Contracts awarded to date are approximately 43.2% of the planning estimates.

From: (b)(6);(b)(7)(C)
To:
Cc:
Subject: FW: Area 4 Notional Work Plan and Cost Assumptions Document
Date: Monday, January 25, 2010 2:21:11 PM
Attachments: (b) (5)
(b) (5)

As requested during the CTIMR IPT meeting this afternoon, attached are the Notional Work Plan and the Cost Assumptions Document for Area 4. (b) (6) is to send the cost templates in a separate message.

(b) (6)

From: (b) (6)
Sent: Tuesday, January 12, 2010 3:38 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Area 4 Notional Work Plan and Cost Assumptions Document

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

Attached for incorporation into the RFP for Area 4 are:

- Notional Plan
- Cost Assumptions Document. I inserted the Appendix A information developed by (b) (6) into this attachment but did not include the templates as they are stand alone excel files.

(b) (6)

From: (b)(6);(b)(7)(C)
To: (b) (6)
Subject: FW: Labor rates used
Date: Tuesday, June 29, 2010 7:49:38 AM
Importance: High

Regards,

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

DHS- Customs and Border Protection (CBP)

FM&E BP-F-TI Maintenance and Repair

(b)(6);(b)(7)(C) work
cell

"ONE TEAM, ONE MISSION. SECURING OUR HOMELAND."

From: (b) (6)
Sent: Monday, June 28, 2010 10:54 AM
To: (b)(6);(b)(7)(C)
Cc: (b) (6)
Subject: FW: Labor rates used

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

Here are the results of the labor Category/rates/hours request. A subsequent email will have the Planning info.

(b) (6)

(b)(3)

(b)(3)

(b)(3)

(b)(3)

(b)(3)

From: (b) (6), (b) (7)(C)
To: (b) (6), (b) (7)(C)
Subject: # of Condemnations & Acquisitions
Date: Monday, December 07, 2015 12:53:38 PM
Attachments: [BPFTI PMO TI 101 Presentation for DOJ-LAS 12-2-15.ppt](#)
Importance: High

I was right, PF/VF was approx 400 acquisitions border-wide, 330 of which were condemnations. See slide # 12 attached.

From: (b) (6), (b) (7)(C)
Sent: Wednesday, December 02, 2015 09:28 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Please review Proposed Brief to OCC/DOJ

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

To review (from below email), this morning at 10am (in 35 minutes), I am giving a brief overview of BPFTI with a Real Estate focus (PF225 in particular) to a new attorney assigned to DOJ who'll be supporting our condemnation cases.

I don't believe I heard back from you on the below email request, but like I said, I only added one slide (#18 showing tracts for Anapra) – otherwise the presentation is exactly the same one you approved for OCC.

I'm 99.99% sure it's cool to proceed since the slide deck is virtually identical to the one you approved...I just wanted to send you this email to triple-check.

Thanks!

From: (b) (6), (b) (7)(C)
Sent: Monday, November 09, 2015 11:03 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Please review Proposed Brief to OCC/DOJ

Good morning (b) (6), (b) (7)(C) I have been asked by OCC to give the same presentation to a new addition to DOJ-ENRD-LAS who will be supporting our condemnation efforts (PF225, Anapra, etc).

The presentation will be next Monday or Wednesday; I'm waiting to hear back which.

The presentation is attached – since the last version you approved for OCC, I have only changed the cover page and inserted slide #18 to depict the Anapra tracts.

Thanks!

Very Respectfully,

(b) (6), (b) (7)(C), **MBA PMP**
Real Estate Program Manager
LMI Government Consulting
Border Patrol Facilities & Tactical Infrastructure
Program Management Office
Facilities Management and Engineering
U.S. Customs and Border Protection

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

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

From: (b) (6), (b) (7)(C)
Sent: Wednesday, October 21, 2015 12:53 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Please review Proposed Brief to OCC

(b) (6), (b) (7)(C) – A few corrections and some formatting changes, but nothing substantial.

From: (b) (6), (b) (7)(C)
Sent: Wednesday, October 21, 2015 11:34 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Please review Proposed Brief to OCC
Importance: High

Sorry, here's the brief.

From: (b) (6), (b) (7)(C)
Sent: Wednesday, October 21, 2015 11:33 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: Please review Proposed Brief to OCC
Importance: High

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

OCC asked me to brief some of their team who aren't as familiar with BPFTI, with a focus on TI, PF225 litigation, and other TI Real Estate efforts that require OCC support – such as Anapra, RGV Towers, El Paso Crossovers, etc.

So, I dusted off a two year-old briefing we did for DOJ, and I pulled a few slides from your most recent Intro to BPFTI slide deck.

The briefing is tomorrow at 11am over at OCC.

Thanks,

Very Respectfully,

(b) (6), (b) (7)(C), **MBA PMP**
Real Estate Program Manager
LMI Government Consulting
Border Patrol Facilities & Tactical Infrastructure
Program Management Office
Facilities Management and Engineering
U.S. Customs and Border Protection

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

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CBP Office of Administration
Facilities Management and Engineering
Border Patrol Facilities & Tactical Infrastructure

Tactical Infrastructure Program & PF225

Presentation Prepared for the Department of Justice
December 2, 2015



U.S. Customs and
Border Protection



What is the BPFTI PMO?



- The Facilities Management and Engineering's (FM&E's) Border Patrol Facilities and Tactical Infrastructure Program Management Office (BPFTI PMO) – under the guidance of U.S. Customs and Border Protection's (CBP's) Office of Administration (OA) – plans, designs, constructs, and maintains various materials solutions designed to help the Border Patrol secure our nation's borders. These material solutions include Facilities, Tactical Infrastructure (TI) and Towers.
- BPFTI Vision
Excel as a trusted strategic partner enhancing Border Patrol's proud legacy.
- BPFTI Mission:
Deliver life cycle solutions to support Border Patrol's Facilities, Tactical Infrastructure, and Environmental requirements.



**U.S. Customs and
Border Protection**

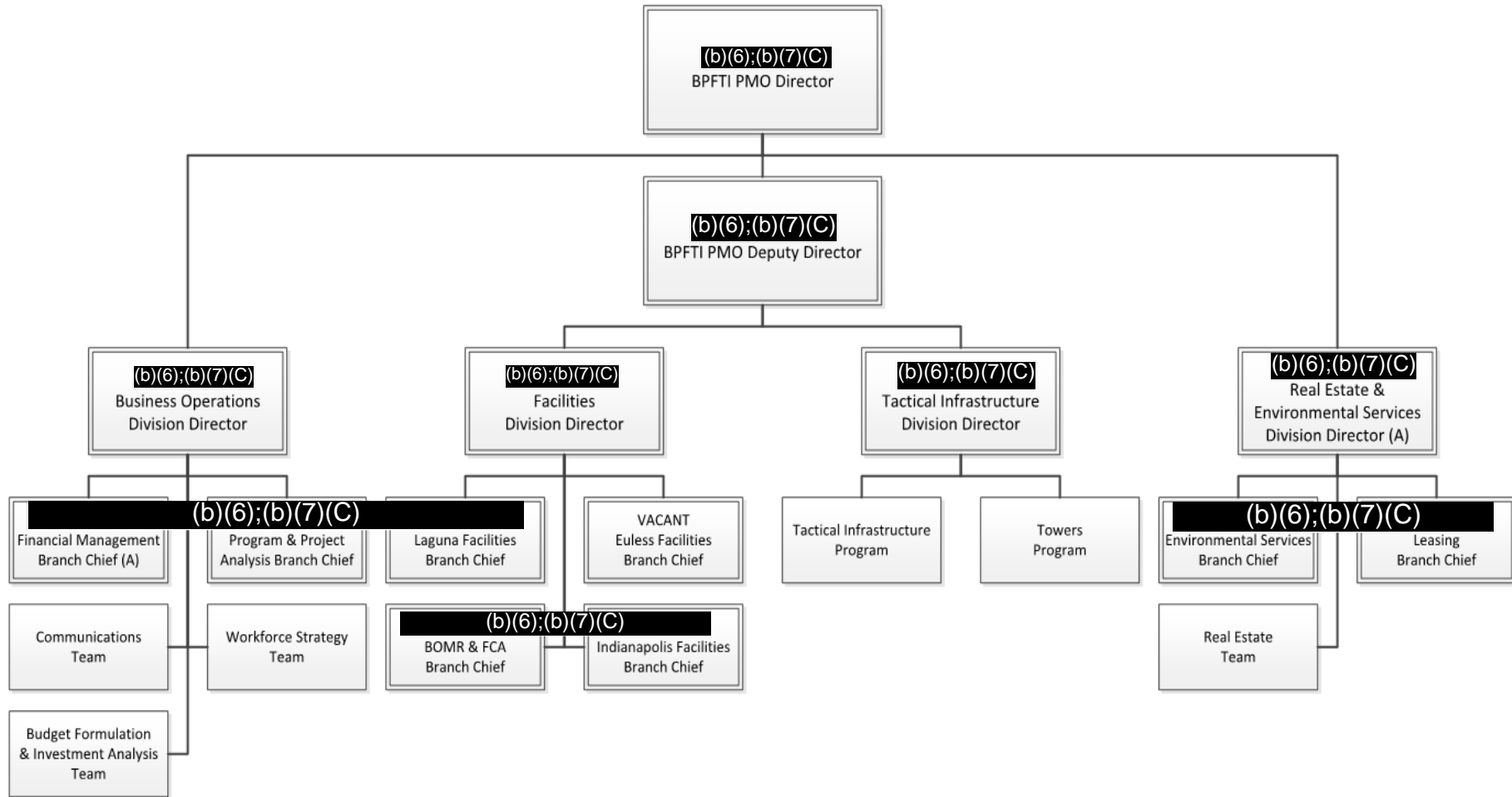
BPFTI PMO History



- Section 102 of the Secure Fence Act required the Department of Homeland Security (DHS) to construct – in the most expeditious manner possible – the infrastructure necessary to deter and prevent illegal entry on our Southwest Border.
- BPFTI was borne out of the Secure Border Initiative (SBI), a comprehensive multi-year plan established by DHS to secure America's borders and reduce illegal immigration.
- The BPFTI PMO – then known as the Tactical Infrastructure (TI) Program – was created in October 2007 to oversee the construction of roads, lighting, and pedestrian and vehicle fencing across the Southwest Border. Prior to that, TI had been constructed under the SBInet Program.
- In March 2009, the TI Program was brought under CBP's FM&E Directorate.
- In November 2009, FM&E SBI/TI combined with elements of the Facilities Centers to become the BPFTI PMO.
- In June 2012, 211 maintenance and repair personnel transitioned to the PMO from OBP, nearly tripling the size of the PMO's government staff. The PMO now has complete responsibility for facility and TI requirements including planning, design, construction, and sustainment.



BPFTI PMO Leadership



Tactical Infrastructure Division

BPFTI PMO Tactical Infrastructure Division

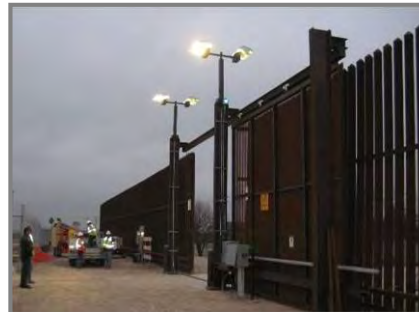
The BPFTI PMO Tactical Infrastructure (TI) Division manages for OBP the planning, construction, and maintenance of all tactical components. These TI components vary – roads, fencing, lights, electrical components, drainage structures and tower real property – but the primary goal remains constant: to help OBP prevent terrorists and terrorist weapons, from entering the United States.

Benefits

The purpose of pedestrian and vehicle fence is to provide persistent impedance by slowing, delaying, and acting as an obstacle to illegal cross-border activity. Roads, ramps, crossovers and bridges provide access. Permanent lighting, debris and vegetation removal provide visibility to Border Patrol.

Capabilities

The TI Division, in partnership with the Federal Aviation Administration (FAA) and USACE, provides OBP with long-term planning, construction, and maintenance capabilities consisting mainly of roads, fencing (both pedestrian and vehicle), bridges, drainage structures, lighting systems, vegetation and debris removal and towers. TI's most visible projects are the border fence, gates, and towers.



**U.S. Customs and
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BPFTI PMO Background – PF70 Fence



Pedestrian Fence 70 (PF70):

- TI's first fence project, comprised of both new and previously planned projects, was brought together under SBI to construct 70 miles of primary pedestrian fence by the end of FY 2007.
- The majority of fence was constructed in Arizona; the remaining mileage was constructed in California and New Mexico. In all, this area covered the San Diego, El Centro, Yuma, Tucson, and El Paso Border Patrol Sectors.
- The projects were carried out by a partnership between CBP and the U.S. National Guard (Operation Jump Start), Joint Task Force North, private contractors through the U.S. Army Corps of Engineers, and Boeing.
- By September 30, 2007, the PF70 project had exceeded its goal by constructing 76.3 miles of pedestrian fence, increasing the total mileage of pedestrian fence (PF70 fence plus legacy fence) along the Southwest Border at the time to 154.7 miles.



BPFTI PMO Background – VF300 Fence

Vehicle Fence 300 (VF300):

- VF300 is a TI project that completed 299 miles of vehicle fence along the Southwest border in strategically desirable locations, as determined by Border Patrol's operational requirements.
- The majority of vehicle fence was constructed in Arizona and New Mexico; the remaining mileage was constructed in California and Texas. In all, this area covered the El Centro, Yuma, Tucson, and El Paso Border Patrol Sectors.
- The project was carried out by a number of private sector firms via a Multiple Award Task Order Contract (MATOC) issued by the U.S. Army Corps of Engineers.
- Operation Jump Start, via the U.S. National Guard, also helped construct some segments.



*Vehicle Fence –
“Normandy Style”*

BW11 FOIA CBP 005410



**U.S. Customs and
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BPFTI PMO Background – PF225 Fence

Pedestrian Fence 225 (PF225):

- PF225 was a TI project to construct approximately 210 miles of primary pedestrian fence along the Southwest Border.
- The project was being carried out by a number of private sector firms via a Multiple Award Task Order Contract (MATOC) issued by the U.S. Army Corps of Engineers.
- The fence was constructed along sections of California, Arizona, New Mexico, and Texas. In all, this area covers the San Diego, El Centro, Yuma, Tucson, El Paso, Big Bend, Del Rio, and Rio Grande Valley Border Patrol Sectors.



PF225 Bollard Fence



Rio Grande Valley Sector PF225 Fence Photos



PF225 Fence in RGV - segment O-16



Southpoint Wall O-21A



PF225 Fence Gap in RGV, pre-gate



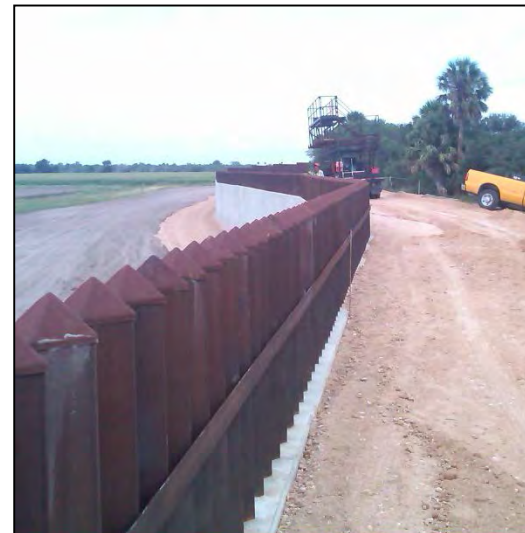
PF225 RGV Fence Gat (b) (7)(E)



**U.S. Customs and
Border Protection**

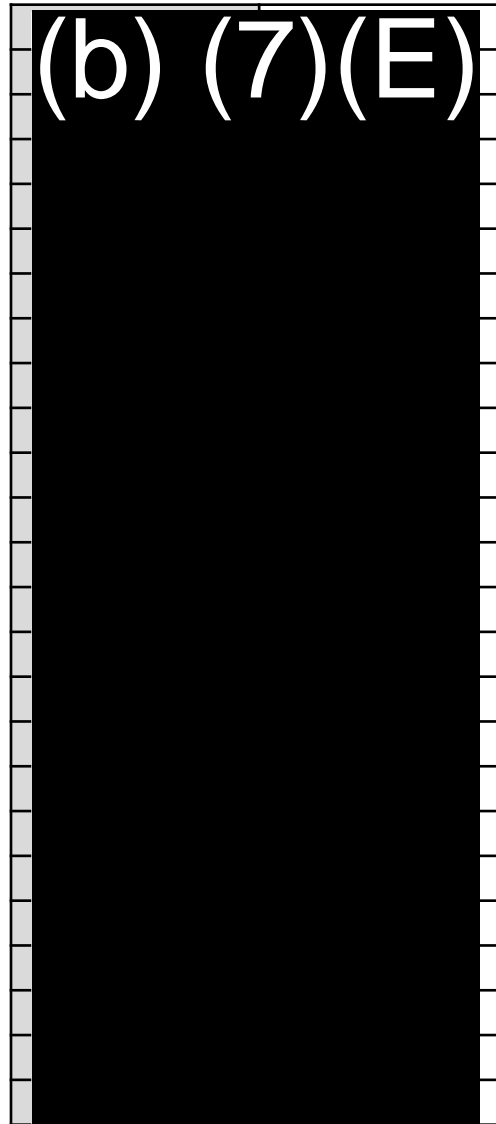
Rio Grande Valley Sector Fence/Levee

“Flevee” (O-4 to O-10)



U.S. Customs and
Border Protection

Rio Grande Valley Sector – 54.1 Miles of Constructed PF225 Fence



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Border Protection

BW11 FOIA CBP 005414

Texas PF225 Litigation Status

- **Border-wide**: Nearly **400** land acquisitions, of which **330** required condemnation
- **RGV**: **280** land acquisitions, of which **273** were condemnations

(cases cover multiple land tracts & owners)

- **(Un-constructed RGV Segments O-1,2,3)**: **63** acquisitions initiated for original alignment;

(b) (5)

open condemnation cases remain (*as of 10/20/15*).

- **(Constructed RGV Segments O-4 to O-21)**: **217** acquisitions initiated;

(b) (5)

open cases remain (*as of 10/20/15*)

Note: 21 cases in Harlingen were recently consolidated into one case

- **DRT** (b) (5) open cases remain in the City of Eagle Pass



Rio Grande Valley Sector Gates

(b) (7)(E)

(b) (7)(E)



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PF225 Fence Segments O-1, 2, 3



- Brief discussion to provide background & status



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Non-PF225 BPFTI Real Estate Projects/Efforts



- Anapra Legacy Fence Replacement/Inverse Condemnation; DT's will be filed in District of New Mexico
- Bell Inverse Condemnation case in Court of Federal Claims
- New (b) (7)(E) in RGV
- Access to Existing RVSS Towers in RGV
- El Paso Crossovers
- Numerous other miscellaneous projects involving:
 - Licenses
 - Easement Outgrants
 - MOU/MOA
 - Special Land Use Permits from Other Agencies
 - Leases
 - Permits from State Land Offices
 - Resolutions & Right-of-Ways from Tribal Nations



BACKUP SLIDES



Anapra Fence Replacement



U.S. Customs and
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Anapra Landownership Map



U.S. Customs and
Border Protection

BW11 FOIA CBP 005421



El Paso Crossovers

El Paso Sector Segment Canal Crossings - Real Estate Status Overview




(b) (7)(E), (b)(6);(b)(7)(C), (b) (5)

LEGEND

Canal Crossings

-  Planned Segment Canal Crossing
-  Existing Segment Canal Crossing

Fence

-  PF225 Constructed Fence
-  PF225 Planned Fence
-  Phase III Pedestrian Fence

*If sheet measures less than 11x17" it is a reduced print.
Reduce scale accordingly.

1 in = 4.1 mi 1:260,000



Michael Baker Jr., Inc.

WARNING: This document is **FOR OFFICIAL USE ONLY (FOUO)**. It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need to know" without prior approval of an authorized DHS official.



U.S. Customs and
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BW11 FOIA CBP 005422

El Paso Crossovers



U.S. Customs and
Border Protection

BW11 FOIA CBP 005423

Weekly Status Update – Week of October 19, 2015

Real Estate Milestone: Complete ROE Process

STATUS SUMMARY (As of 10/19/15)	
No. of (b) (7)(E) Sites where Primary, Alternate, or Both have Signed ROE-S	(b) (7)(E)
No. of (b) (7)(E) Sites Requiring Tertiary Locations Received approval letter from OTIA on 6 Oct 2015 to begin ROE pursuit of these locations.	(b) (7)(E)
Total No. of (b) (7)(E) Proposed for Construction	(b) (7)(E)

Of the initial (b) (7)(E) Primary and Alternate (b) (7)(E) sites provided:

- ROE-S were obtained for (b) (7)(E) sites.
- Landowners declined to sign ROE-S at (b) (7)(E) sites.
- DOJ is working to resolve ROE-S with landowners at (b) (7)(E) sites.
- Landowners either waiting on response or are not responsive at (b) (7)(E) sites.



From: (b) (6), (b) (7)(C)
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: Fw: O-1 through O-3
Date: Thursday, November 12, 2015 10:33:42 AM
Attachments: (b) (5)

Gents:

As one of the action items from the Portfolio Review....

As you can read, and as confirmed via (b) (6), (b) (7)(C) email, we are to continue with condemnation.

This should close the action item.

Regards,

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

From: (b) (6), (b) (7)(C)
Sent: Thursday, November 12, 2015 11:24 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: O-1 through O-3

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

Just finished a brief with Deputy (b) (6), (b) (7)(C) Sector is still in line with the requirement as outlined in this paper. The Deputy, as well as LEOD (Ops), concurs and OBP requests that BPFTI continue with the condemnation cases for the purposes of access, lights and potentially various forms of technology. Thanks.

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

(b) (6), (b) (7)(C)
DIRECTOR-TACTICAL INFRASTRUCTURE
OFFICE OF BORDER PATROL
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, November 04, 2015 11:50 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: O-1 through O-3

Ok. I see that this is where we are leaning, yet note that we will have to do some adjustments in

order to do this which we can chat about once you get us a decision at the end of the week.

Thank you,

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

From: (b) (6), (b) (7)(C)
Sent: Wednesday, November 04, 2015 10:48 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: O-1 through O-3

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

At that time, I believe the position was no fence but there was still an interest in the land for access, lights and potentially various forms of technology. I am still chasing Chiefs on this.

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

From: (b) (6), (b) (7)(C)
Sent: Wednesday, November 04, 2015 11:40 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: O-1 through O-3

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

See attached, it seems that the decision was made in 2013 that we would not build fence along the alignment and so this brings up the question should we pursue further the properties.

Just providing more info for you.

Regards,

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

From: (b) (6), (b) (7)(C)
Sent: Wednesday, November 04, 2015 10:29 AM
To: (b) (6), (b) (7)(C)
Subject: RE: O-1 through O-3

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

I found the MFR from RGV Sector saying no more fence for O-1,2,3.
Please see attached.

v/r

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

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

Sent: Wednesday, November 04, 2015 10:03 AM

To: (b) (6), (b) (7)(C)

Subject: FW: O-1 through O-3

(b) (6), (b) (7)(C) below email was from (b) (6), (b) (7)(C) to (b) (6), (b) (7)(C) re OBP's consideration of constructing TI other than Fence in the O-1,2,3 swath based upon the purpose the government asserted in the original taking – i.e. when it filed the original condemnations.

There was subsequently a white paper drafted, which I'm working on getting a hold of.

v/r

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

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

Sent: Tuesday, November 12, 2013 12:34 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: O-1 through O-3

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

Set out below are the bullet points (b) (6), (b) (7)(C), and I put together for inclusion in the white paper on O-1 through O-3.

Thanks,

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

-

(b) (5)

(b) (5)

(b) (5)

(b) (5)

~~This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Assistant Chief Counsel, Indianapolis, U.S. Customs and Border Protection before disclosing any information contained in this email.~~

From: (b) (6), (b) (7)(C)
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FOUO - FW: O-1 through O-3
Date: Wednesday, November 04, 2015 10:39:57 AM
Attachments: (b) (5)
Importance: High

Good morning (b) (6), (b) (7)(C)

I understand (b) (6), (b) (7)(C) is turning back to OBP to reconfirm the authorization to revest land back to original owners along the O-1,2,3 alignment – where they will accept it back.

FYI – I’m forwarding the attached 10/10/13 Memo from RGV Sector that I dug up, which stated that they no longer have a fence requirement for O-1,2,3...going instead with towers, lighting and all-weather road. The Memo is FOUO, so that’s why I put FOUO on the email Subject line.

Also, the below 11/12/13 email from (b) (6), (b) (7)(C) outlines the legal issues/risks associated with proceeding with those proposed uses in lieu of fence, given the language that defined the purpose for the taking in the condemnations that were filed. There was a white paper prepared after this email was sent, which was provided to OBP by (b) (6), (b) (7)(C).

Hope that helps...

v/r
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, November 12, 2013 12:34 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: O-1 through O-3

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

Set out below are the bullet points (b) (6), (b) (7)(C), and I put together for inclusion in the white paper on O-1 through O-3.

Thanks,

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

-

(b) (5)

(b) (5)

(b) (5)

(b) (5)

~~This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Assistant Chief Counsel, Indianapolis, U.S. Customs and Border Protection before disclosing any information contained in this email.~~

From: (b) (6), (b) (7)(C)
To: (b) (6), (b) (7)(C)
Subject: FW: Final Fact Sheet for PF225 Rio Grande Valley Sector
Date: Monday, February 15, 2016 11:51:33 AM
Attachments: [RGV PF225 FACT SHEET FINAL 112811.doc](#)

More information.

From: (b) (6), (b) (7)(C)
Sent: Monday, February 15, 2016 9:36:56 AM
To: (b) (6), (b) (7)(C)
Subject: FW: Final Fact Sheet for PF225 Rio Grande Valley Sector

From: (b) (6), (b) (7)(C)
Sent: Monday, November 28, 2011 11:20 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Final Fact Sheet for PF225 Rio Grande Valley Sector

(b) (6), (b) (7)(C)
Attached is the FINAL Fact Sheet for RGV. Per (b) (6), (b) (7)(C) instructions below, I updated the Sabal Palm information. All of the FACT Sheets are saved to the T drive in the folder shown below:

(b) (7)(E)

Please prep the routing package and get this through the PMO for approval. I believe that you have the original routing package for the rest of the fact sheets. I would just add this new fact sheet to the package and route the entire group through the PMO one last time. Once (b) (6), (b) (7)(C) has signed off on the package, we will need to PDF all of the fact sheets and post them on KMS. Once we get to this point, we will confirm which CBP offices need to get copies. I would assume that it is OBP and Public Affairs. It may be that (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) needs to forward the PDF's once they are ready.

Give me a call if you have any questions.

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

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

Environmental Analyst, Business Operations Division
Strategic Analysis, Inc.
Border Patrol Facilities and Tactical Infrastructure
Program Management Office
Facilities Management and Engineering

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

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

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

Sent: Thursday, November 17, 2011 5:40 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: Final Fact Sheet for PF225 Rio Grande Valley Sector

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

Great! I would recommend we just insert ahead of the number 219 to say "as of April 2010" and go for final approval.

Seems this and the other fact sheets can be posted on the KMS and sent to CBP staff offices for their information and use.

Thanks!!

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

Environmental Planning

Border Patrol Facilities and Tactical Infrastructure

Program Management Office

Facilities Management and Engineering

1301 Constitution Ave. NW, Suite B-155

Washington, DC 20229

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

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

Sent: Wednesday, November 16, 2011 6:42 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: FW: Final Fact Sheet for PF225 Rio Grande Valley Sector

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

OBP and (b) (6), (b) (7)(C) have already reviewed the fact sheet and they had no comments. I sent it to (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) had a few edits and a couple of comments. I accepted (b) (6), (b) (7)(C) edits and in regards to his comments, I inserted the word "listed" which (b) (6), (b) (7)(C) confirmed was the missing word. Attached is the Fact Sheet with (b) (6), (b) (7)(C) edits as well as the Fact Sheet where I have accepted the his changes.

In regards to the number of Sabal Palms, I checked the T drive and the only spreadsheet that I was able to locate listed 219 palms that were transplanted as of 4/15/10. Did you get a response from anyone else on the number of palms transplanted?

Once I hear back from you we will get this routed for (b) (6), (b) (7)(C) approval.

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

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

Environmental Analyst, Business Operations Division
Strategic Analysis, Inc.

Border Patrol Facilities and Tactical Infrastructure
Program Management Office
Facilities Management and Engineering

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

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

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

Sent: Monday, November 14, 2011 5:53 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: FW: Final Fact Sheet for PF225 Rio Grande Valley Sector

I'd recommend we now have (b) (6), (b) (7)(C); OBP; (b) (6), (b) (7)(C) (and public affairs) review and then get to (b) (6), (b) (7)(C) for approval to release.

I note that on page 5 we only say that 237 sabal palms were transplanted from segment O-21 but I think (b) (6), (b) (7)(C) has the complete total of palms that were saved across O-4 to O-21 and it was more like 300+. I think we should use the total number. I will get that number from (b) (6), (b) (7)(C).

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

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

Environmental Planning

Border Patrol Facilities and Tactical Infrastructure

Program Management Office

Facilities Management and Engineering

1301 Constitution Ave. NW, Suite B-155

Washington, DC 20229

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

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

Sent: Thursday, November 10, 2011 3:13 PM

To: (b) (6), (b) (7)(C)

Subject: FW: Final Fact Sheet for PF225 Rio Grande Valley Sector

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

Environmental Planning

Border Patrol Facilities and Tactical Infrastructure

Program Management Office

Facilities Management and Engineering

1301 Constitution Ave. NW, Suite B-155

Washington, DC 20229

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

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

Sent: Thursday, November 10, 2011 2:40 PM

To: (b) (6), (b) (7)(C)

Subject: FW: Final Fact Sheet for PF225 Rio Grande Valley Sector

Here is the final fact sheet for RGV>

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

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

Environmental Analyst, Business Operations Division

Strategic Analysis, Inc.

Border Patrol Facilities and Tactical Infrastructure

Program Management Office

Facilities Management and Engineering

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

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

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

Sent: Tuesday, September 27, 2011 3:32 PM

To: (b) (6), (b) (7)(C)

Subject: FW: Final Fact Sheet for PF225 Rio Grande Valley Sector

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

Program Analyst

Strategic Analysis, Inc.

U.S. Customs and Border Protection

Facilities Management and Engineering (FM&E)

BP FTI, Business Operations Division

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

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

Sent: Friday, September 23, 2011 9:56 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: Final Fact Sheet for PF225 Rio Grande Valley Sector

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

HDR is pleased to submit the Final Fact Sheet for PF225 Rio Grande Valley Sector.

This document has been prepared under Task Order #11, Contract #HSBP1109A02147, DO #HSBP1011500106.

As always, we appreciate this opportunity to support the U.S. Department of Homeland Security/Customs and Border Protection. Should you have any questions concerning this deliverable, please contact me at the number below.

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

HDR Environmental, Operations and Construction, Inc.

Senior Project Manager

11054 Big Canoe | Big Canoe, GA 30143

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

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FACT SHEET – ~~INTERNAL ONLY~~

Environmental Stewardship Initiatives for PF225 Fence Construction along the Southwest Border U.S. Border Patrol Rio Grande Valley Sector September 2011



U.S. Customs and Border Protection

The following is a summary of the environmental stewardship initiatives undertaken by U.S. Customs and Border Protection (CBP) during the planning, construction, and post-construction stages associated with installing tactical infrastructure (TI) along the U.S./Mexico International Border in the U.S. Border Patrol (USBP) Rio Grande Valley Sector for TI sections "O-1" through "O-21." TI is a term used by the USBP to describe the physical structures that facilitate enforcement activities. These items typically include, but are not limited to, roads, vehicle and pedestrian fences, lights, gates, and boat ramps. TI constructed under CBP's Secure Border Initiative (SBI) Pedestrian Fence 225 (PF225) Program within the Rio Grande Valley Sector consisted of pedestrian fence, gates, lighting at the gates, and construction/maintenance roads along the U.S./Mexico International Border in (b) (7)(E), Texas. TI was also proposed for construction in (b) (7)(E) Texas, but it was not constructed as of August 2011. Temporary construction staging areas and access roads were also required to build the TI. This Fact Sheet provides the environmental impacts anticipated during pre-construction planning and those actually encountered during and following construction. In addition, it describes stakeholder outreach efforts that were carried out during all phases of the project, contributing partners, and any continuing issues. This Fact Sheet is current as of August 2011. Environmental stewardship initiatives for TI constructed after August 2011 will be addressed in future publications.

On April 1, 2008, the Secretary of the U.S. Department of Homeland Security (DHS), pursuant to his authority under Section 102(c) of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 as amended, exercised his authority to waive certain environmental and other laws in order to ensure the expeditious construction of TI along the U.S./Mexico International Border. The TI described in this Fact Sheet is covered by the Secretary's April 1, 2008, waiver. Although the Secretary's waiver means that CBP no longer has any specific legal obligations under the laws that are included in the waiver, the Secretary has committed DHS to responsible environmental stewardship of our valuable natural and cultural resources. CBP strongly supports the Secretary's commitment to responsible environmental stewardship. To that end, CBP prepared a pre-construction Environmental Stewardship Plan (ESP) and a Biological Resources Plan (BRP), which analyzed the potential environmental impacts associated with the construction of TI. Following construction, CBP prepared an Environmental Stewardship Summary Report (ESSR) that compared the final completed action to the original plan for TI installation.

The following is a summary of CBP's environmental stewardship efforts.

- CBP carried out environmental stewardship efforts before, during, and after construction.
- Environmental impacts that resulted from this project were both positive and negative.
- Best Management Practices (BMPs) were developed and carried out to minimize negative environmental impacts.
- Stakeholder public outreach was conducted during all phases of the project. Some of the stakeholder input resulted in changes to the project.
- CBP participated in interagency and intergovernmental coordination activities to help minimize potential environmental impacts and streamline environmental review processes. Some of the interagency and intergovernmental input also resulted in changes to the project.



Personnel-Vehicle Fence – Floating Fence

After construction of the TI in the USBP Rio Grande Valley Sector, the following facts were identified:

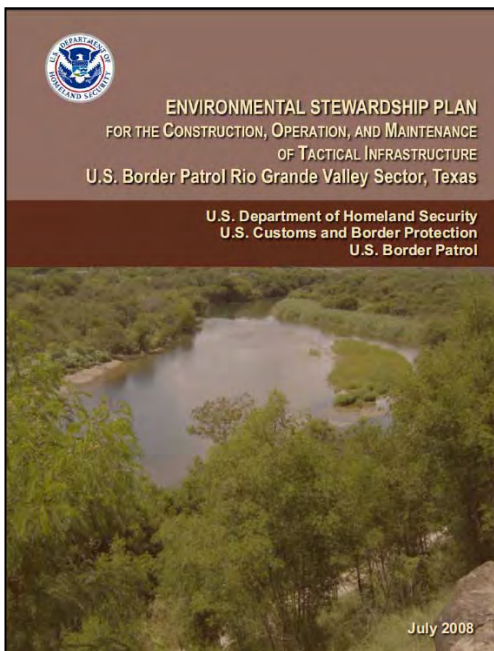
- As of August 2011, TI was not constructed in Section O-1, O-2, O-3, and O-20. Construction of TI is set to commence in Section O-20 in September 2011 and will be addressed in future publications.

Because TI was not constructed in Sections O-1, O-2, O-3, and O-20 (as of August 2011) and because of minor changes to the plan for placement of TI in the remaining sections, the length of the fence and construction/maintenance road corridor was reduced from approximately (b) (7)(E) anticipated in the ESP to approximately (b) (7)(E) that were actually constructed.



Personnel-Vehicle Fence – Concrete Flood Protection Fence

- Approximately (b) (7)(E) of soil were disturbed from the construction of TI in the USBP Rio Grande Valley Sector. This represents a reduction of (b) (7)(E) from that anticipated prior to construction for Sections O-4 through O-19 and O-21.
- As of August 2011, approximately 15 cultural resources sites were affected in some manner by the construction of TI. The affects varied in magnitude from minor alternations of viewsheds near some sites to the demolition of historic structures. Cultural resource surveys were conducted to minimize affects.
- Wetland areas were not impacted more than anticipated in the ESP. A total of 33 wetland areas measuring (b) (7)(E) were identified within and adjacent to the fence and construction/maintenance corridor prior to construction. Erosion and sediment control measures were taken to minimize the impacts.
- Potential suitable habitat for two federally listed species, the ocelot and jaguarundi, were impacted. However, impacts were less than planned. Additionally, these species have not been observed in much of the project area in over 20 years. There were no impacts on federally listed plant species or critical habitats of federally listed plants or federally listed animals.



ENVIRONMENTAL STEWARDSHIP COMPONENTS

CBP carried out environmental stewardship initiatives during all phases of the project, before, during, and after construction. Each component is discussed in the following paragraphs.

PRE-CONSTRUCTION

Environmental Stewardship Plan – CBP commenced preparation of an Environmental Impact Statement (EIS) for the construction, operation, and maintenance of TI in the USBP Rio Grande Valley Sector in late 2007 to satisfy the requirements of the National Environmental Policy Act (NEPA) of 1969. Following the Secretary's April 1, 2008 waiver, CBP converted the Draft EIS to an ESP.

- July 2008 – *Environmental Stewardship Plan for the Construction, Operation, and Maintenance of Tactical Infrastructure U.S. Border Patrol Rio Grande Valley Sector, Texas.*

The ESP is similar to an EIS in that it discusses the unique biological, geographical, and environmental conditions associated with the areas proposed for TI and includes BMPs and mitigation measures designed to

reduce and offset potential environmental impacts. The ESP remains available to the public and is posted on the internet at: http://cbp.gov/xp/cgov/border_security/ti/ti_docs/.

Biological Resources Field Surveys and Plans – CBP carried out pre-construction surveys to identify existing vegetation and wildlife within the area of the proposed fence and construction/maintenance road corridor, construction staging areas, and construction access roads. Subsequently, a BRP was developed in coordination with the U.S. Fish and Wildlife Service (USFWS) to summarize findings and incorporate them into the ESP.

- July 2008 – *Biological Resources Plan for Construction, Operation, and Maintenance of Tactical Infrastructure for Rio Grande Valley Sector, Texas.*

Special attention was paid to identifying federally listed species and critical habitats of federally listed species within the project area.

Estimated Footprint – It was estimated prior to construction that approximately (b) (7)(E) of land would be disturbed from the construction of TI in the USBP Rio Grande Valley Sector. This acreage includes Sections O-1 through O-21.

Examples of potential environmental impacts and the BMPs and mitigation measures used to minimize these impacts are listed in **Table 1**. Not all anticipated environmental impacts were adverse; in fact, some were positive. CBP predicted that the installation of TI would reduce the amount of smuggling and illegal immigration, which would have a beneficial effect on national security and socioeconomics. The reduction in illegal cross-border activity would reduce foot traffic in sensitive habits and would benefit native species and their habitats.

Table 1. Potential Environmental Impacts and BMPs/Mitigation Measures Identified Prior to Construction

Potential Environmental Impact (Cultural, Species, Wetlands)	BMPs and Mitigation Measures to Reduce or Eliminate the Potential Environmental Impact
Discovery of cultural resources in work area	<ul style="list-style-type: none"> • Halt construction until authorized to proceed by a qualified archaeologist who will coordinate with appropriate resource agencies
Discovery of federally protected species in work area	<ul style="list-style-type: none"> • Halt construction until an environmental monitor can safely remove the protected species or it moves away on its own
Wildlife impacts due to construction, fencing, and habitat fragmentation	<ul style="list-style-type: none"> • Survey the area for migratory bird nests immediately prior to construction • [REDACTED] to allow small animals to pass through • Integrate wildlife escape ramps into open trenches and excavations • Relocate sabal palm trees within areas to be disturbed • Cap vertical bollards to prevent birds from falling inside
Introduction of invasive species	<ul style="list-style-type: none"> • Wash equipment prior to use to minimize introduction of nonnative species • Remove only the minimum amount of vegetation • Remove invasive species that appear
Change in size of wetlands and surface waters	<ul style="list-style-type: none"> • Halt construction during heavy rains • Design fence to allow the conveyance of water • Avoid stream crossings at channel bends when practical alternatives exist

DURING CONSTRUCTION

CBP contracted independent environmental monitors (i.e., for biological and cultural resources) to be present during all construction activities. The monitors' responsibilities included documenting adherence to the BMPs prescribed in the ESP, identifying environmental impacts that occurred beyond those predicted in the ESP, and ensuring that federally listed species and cultural resources were not impacted by the TI construction activities.

The environmental monitors reported that most BMPs prescribed in the ESP were followed; see **Table 1** for examples of BMPs. However, some deviations did occasionally occur, including the following:

- Lack of flagging around work and parking areas
- Improper storage of petroleum, oils, and lubricants
- Concrete wash outs located outside of designated areas

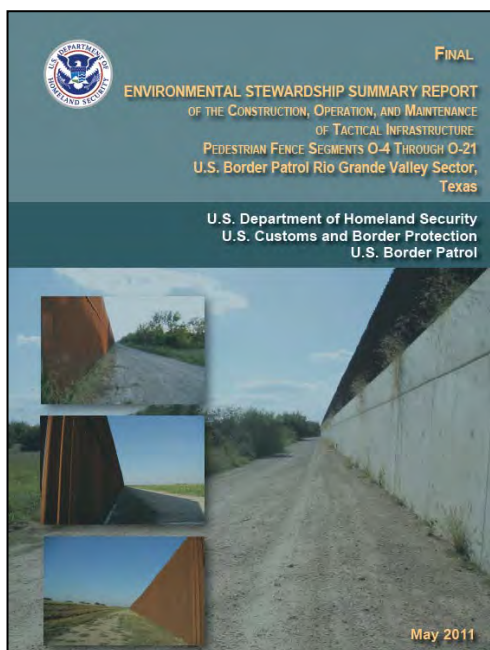
- Occasional driving outside of designated areas
- Some trash items scattered as litter
- Lack of drip pans beneath equipment
- Lack of dust control measures.

No known impacts on federally listed species were documented as a result of these infractions. Most infractions did not require revegetation efforts because little to no native vegetation was removed.

Unexpected field conditions during construction occasionally required practical changes to the plan for placement and design of the TI. In these situations, CBP conducted additional environmental surveys and analyses to determine the potential environmental impacts and the appropriate BMPs needed to support the changes. Most changes to the design and placement of the TI were minor and included slight refinements of fence type and footprint to meet operational requirements.



**Construction of Concrete Flood Protection Fence
Section O-6**



POST-CONSTRUCTION

Environmental Stewardship Summary Report – CBP conducted post-construction field surveys of biological and cultural resources and prepared an ESSR.

- May 2011 – *Final Environmental Stewardship Summary Report of the Construction, Operation, and Maintenance of Tactical Infrastructure Pedestrian Fence Segments O-4 Through O-21 U.S. Border Patrol Rio Grande Valley Sector, Texas.*

The ESSR provided the following information:

- Identification of the final locations of TI and acreages of areas impacted
- An environmental baseline for future TI maintenance and repair efforts
- Documentation of the overall adherence and successes of the BMPs implemented during construction
- A record of the differences between the final locations and types of TI and those that were identified in the ESP.

CBP's post-construction field surveys documented that TI was constructed in Sections O-4 through O-19 and O-21. No TI was constructed in Sections O-1, O-2, and O-3 as of August 2011, and the construction of TI was set to commence in Section O-20 in September 2011. (TI constructed in these four sections will be addressed in future publications.) The elimination of these four sections reduced the preconstruction estimated length for the fence and construction/maintenance road corridor from 70.5 miles to 55.4 miles. Minor changes to the plan for placement of TI at Sections O-4 to O-19 and O-21 further reduced the length of the fence and construction/maintenance road corridor to 49.6 miles.

For Sections O-4 to O-19 and O-21 specifically, there was an approximately 5.8 mile reduction in the length of the fence and construction/maintenance road corridor and a 179.6 acre reduction in the overall disturbance area as compared to what was anticipated prior to construction. The reduction in the length of the fence and construction/maintenance road corridor is attributed primarily to modifications to the plan for placement of TI. The overall reduction in disturbed area results from the reduction in the length of the fence and construction/maintenance road corridor, contractors not requiring the entire width of the fence and construction/maintenance road corridor for construction, and a reduction in the number and sizes of construction staging areas. Construction access roads used existing roadways, so no net change in roadway footprint was recorded. **Table 2** summarizes the estimated pre-construction and actual post-construction ground disturbance totals for Sections O-4 through O-19 and O-21.

Table 2. Estimated Pre-Construction and Actual Post-Construction Ground Disturbance for Sections O-4 through O-19 and O-21

Construction Activity	Estimated Disturbance in Acres (linear miles)	Actual Disturbance in Acres (linear miles)	Difference in Acres (linear miles)
Fence and Construction/Maintenance Road Corridor	(b) (5)	(b) (7)(E)	(b) (7)(E)
Construction Staging Areas	(b) (7)	(b) (7)	(b) (7)
Total Impacts	491.7	312.1	-179.6

Notes: ^a The ESP did not include the sizes of construction staging areas. They were obtained from CBP GIS data files.



**Sabal Palm Relocation
Section O-21**

Additionally, CBP's post-construction field surveys identified the following:

- As of April 2010 CBP relocated 219 Sabal Palm trees from Section O-21.
- As of August 2011, approximately 15 cultural resources sites were affected in some manner by the construction of TI. The affects varied in magnitude from minor alternations of viewsheds near some sites to the demolition of historic structures. Cultural resource surveys were conducted to minimize affects.
- Wetland areas were not impacted more than anticipated in the ESP. A total of 33 wetland areas measuring 23.79 acres were identified within and adjacent to the fence and construction/maintenance corridor prior to construction. Erosion and sediment control measures were taken to minimize the impacts.

- Potential suitable habitat for two federally listed species, the ocelot and jaguarundi, were impacted. However, impacts were less than planned. Additionally, these species have not been observed in much of the project area in over 20 years. There were no impacts on federally listed plant species or critical habitats of federally listed plants or federally listed animals. **Table 3** illustrates that the actual impacts were considerably lower than what was anticipated prior to construction.

Table 3. Estimated Pre-Construction and Post-Construction Impacts on Federally Listed Species

Method for Species Counts	Animals		Plants	
	Species	Critical Habitat	Species	Critical Habitat
Federally listed species and suitable habitat identified in the Biological Resources Plan	11	3	7	1
Federally listed species observed during pre-construction surveys ^a or construction monitoring ^b within the project areas	0	0	0	0
Federally listed species and suitable habitat impacted by construction	2	0	0	0

Notes: ^a Based on the proposed project area

^b Based on surveys and monitoring of revised project areas

STAKEHOLDER OUTREACH ACTIVITIES

Throughout all phases of this project, CBP reached out to stakeholder organizations, the public and regulatory agencies to incorporate their input as potential environmental impacts were identified, evaluated, and mitigated, as necessary. Outreach efforts included the following:

- **Open House** – The general public was invited to receive information and provide comments at open house events in McAllen, Brownsville, and Rio Grande City, Texas, on December 11, 12, and 13, 2007, respectively. Approximately 1,000 people attended these open houses and offered hundreds of comments regarding the project.
- **Incorporation of Comments** – CBP solicited comments from the following:
 - Federal, state, and municipal government agencies
 - Non-government organizations
 - Native American tribes
 - Stakeholder organizations
 - Private individuals.

For the USBP Rio Grande Valley Sector, approximately 920 comments were received, considered, and incorporated into the ESP by CBP, as appropriate.

- **Government Agency Coordination** – CBP directly coordinated with government agencies including the following:
 - U.S. Section, International Boundary and Water Commission
 - U.S. Army Corps of Engineers
 - U.S. Fish and Wildlife Service
 - Texas State Historic Preservation Office.

The information received from the outreach efforts resulted in numerous changes to the project, including the location of construction access roads, placement of construction staging areas, and design of fence components to minimize potential environmental impacts.

CONTRIBUTING PF225 PROGRAM PARTNERS

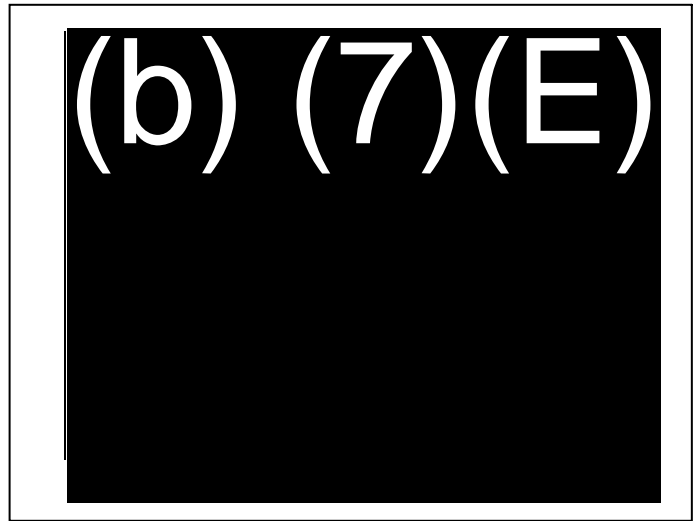
To accomplish the 2006 Congressional mandate for the DHS/CBP to construct approximately 700 miles of border fence along the U.S./Mexico International Border by the end of December 2008, the DHS enlisted the assistance and expertise of interagency departments and other governmental agencies to provide management and subject matter experts for environmental stewardship, construction, real estate acquisition, and contracting tasks. Contributing partners include the following:

- Office of Border Patrol
 - Rio Grande Valley Sector
- U.S. Army Corps of Engineers
 - Fort Worth District
 - Galveston District.

CONTINUING ISSUES

CBP's post-construction surveys identified one continuing issue that needs to be addressed in the future. Storm water that flows through the ephemeral washes crossing the fence and construction/maintenance road corridor occasionally backs-up due to insufficient drainage and creates impassable water depths along the construction/maintenance roads. Improved drainage needs to be considered in the future to rectify this issue.

CBP remains committed to environmental stewardship and will continue to monitor the TI for potential additional actions. Additional environmental monitoring and documentation will be required if TI is installed in Sections O-1, O-2, and O-3 and after construction is completed in Section O-20.



From: (b) (6), (b) (7)(C)
To: (b) (6), (b) (7)(C)
Subject: RE: Please review - c2 brief
Date: Tuesday, January 17, 2017 12:08:17 PM
Attachments: [Fence Roads Requirements Deck 01_11_2017v4](#) (b) (6) p backup OCC edits (b) (6) .ptx

Hi (b) (6), (b) (7) – Yes, it is my understanding the (b) (7)(E) referenced are the O1, O2, and O3 segments. Not all of the (b) (5) [REDACTED]
[REDACTED]. I edited the slide 16 to reflect this. Let me know if this requires additional clarification.

Thanks.

From: (b) (6), (b) (7)(C)
Sent: Tuesday, January 17, 2017 9:39 AM
To: (b) (6), (b) (7)(C)
Subject: FW: Please review - c2 brief

Hi (b) (6), (b) (7) – Can you answer the RGV question below? From OCC.

- On slide 16, some clarification is required for the statement, “CBP would need to gain access to this area, (b) (5) [REDACTED].” We assume you are talking about O1-O3, (b) (5) [REDACTED]
[REDACTED] Also note we made some additional small changes to slide 16.

(b) (6), (b) (7)(C)
Branch Chief, Communications and Workforce Strategy
Border Patrol & Air and Marine Program Management Office
Facilities Management and Engineering
Office of Facilities and Asset Management
Mobile: (b) (6), (b) (7)(C)

(b) (5)

(b) (5)

(b) (5)

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

Sent: Monday, January 16, 2017 9:46 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

[REDACTED]
[REDACTED] >

Subject: Please review - c2 brief

OCC –

Attached you will find the DRAFT deck for the C2 meeting scheduled for this Wednesday. Can you please review? This is still going through our internal review process, but I don't expect much content to change. I wanted to draw your attention specifically to slide 16 where we state the below. (b) (6), (b) (7)(C) mentioned he wanted that last sentence included – again, just making sure you saw it and had a chance to edit as needed. We look forward to hearing from you.

- (b) (5)

Regards,

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

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

Branch Chief, Communications and Workforce Strategy
Border Patrol & Air and Marine Program Management Office
Facilities Management and Engineering
Office of Facilities and Asset Management
Mobile: (b) (6), (b) (7)(C)

CBP Enterprise Services

Office of Facilities and Asset Management

Overview of the Fence: Way Forward Discussion



¹
January 18, 2017



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U.S. Customs and
Border Protection

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Overview

- Section I: Background: Fence Program
- Section II: USBP Initial Priority Requirements and Implementation Approach
- Section III: USBP Unconstrained Needs and Implementation Approach
- Section IV: Additional Key Considerations
- Appendix A: Sector Level Maps



U.S. Customs and
Border Protection

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Qualification of Fence Needs

- While tactical fencing provides a persistent method to impede illegal cross-border activity, it is not the only solution to mitigate capability gaps. Rather, it is one element of a system inclusive of material and non-material solutions.
- These material solutions include tactical infrastructure, fences and other physical barriers, tactical and permanent checkpoints, all-weather roads to gain border access, lighting and surveillance technology, and staffing enhancements that makes up the U.S. Border Patrol's (USBP) multi-layered approach to national security. These not only serve as force-multipliers, but also greatly enhance officer safety.
- Non-material solutions include training, common sense policy, and modifications to enforcement postures, which are all part of the full-spectrum requirement solutions.
- All efforts are geared towards attaining maximum situational awareness and operational efficiency while creating a safer environment for our agents.



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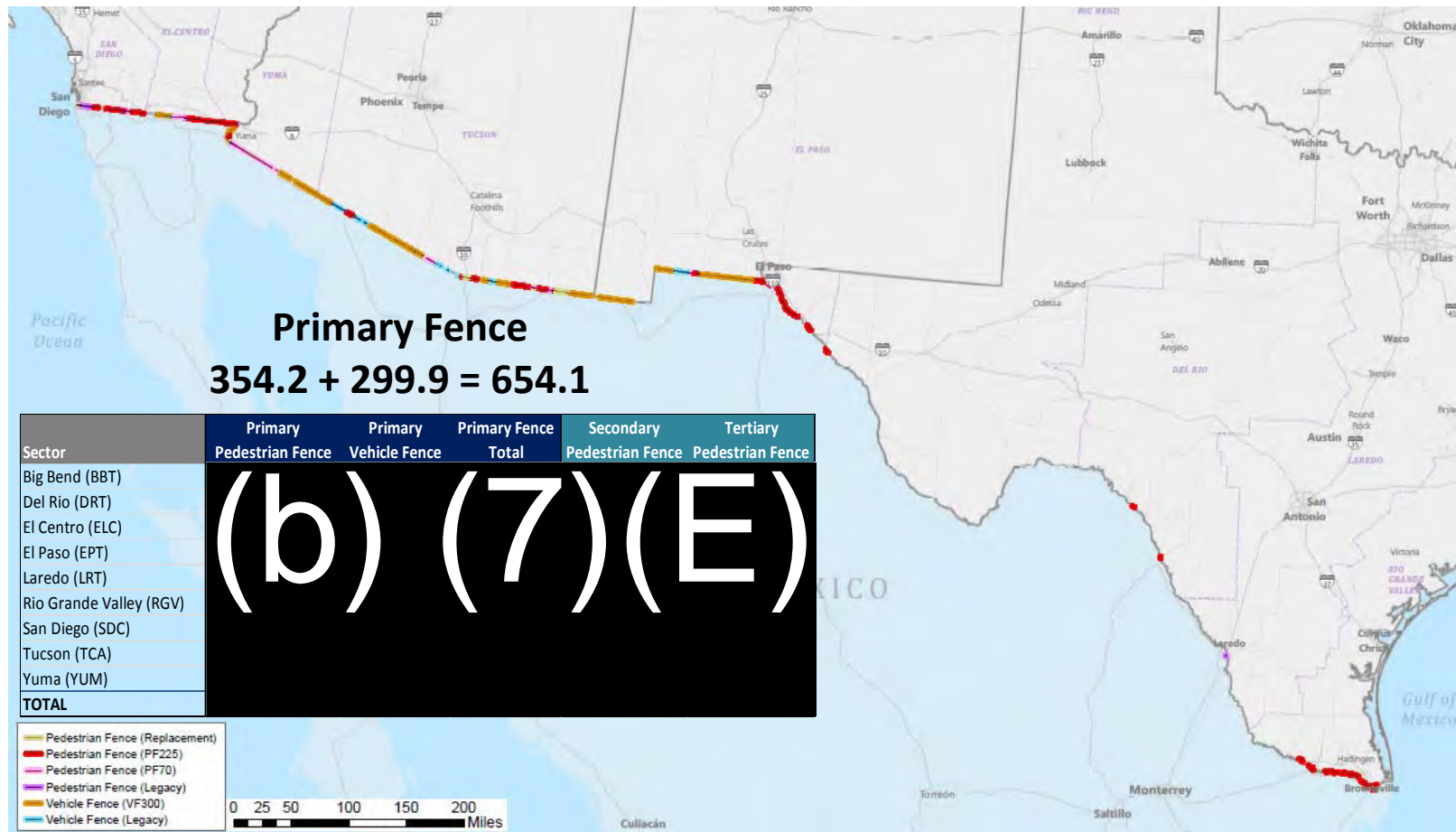
Section I: Background: Fence Program



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Background: Map of Existing Fence



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Background: A Foundation on Which to Build Fence

- As a part of the Secure Fence Act, CBP was tasked with building 700 miles of “two layer” fencing on the southwest border. When Congress repealed the fencing requirements of the Secure Fence Act, this was changed to the USBP operational requirements of 654 miles of primary fence.
- In July 2007 DHS tasked CBP with having over 600 miles completed by January 20, 2009. This was driven in part by a statutory requirement to have certain “priority miles” complete by December 31, 2008.
- 654 miles of primary fence have been completed to date, with the majority of mileage completed between 2007 and 2008.



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Background: A Foundation on Which to Build Fence

- Institutional Knowledge:

- CBP's Border Patrol and Air and Marine Program Management Office (BPAM PMO), which is a part of CBP's Office of Facilities and Asset Management (OFAM), has individuals within its leadership ranks who possess critical institutional knowledge concerning the construction of border infrastructure, including border fencing.
- Key individuals from the BPAM PMO have managed or overseen previous fence projects, including the Pedestrian Fence 70 (P70), Pedestrian Fence 225 (PF225) and Vehicle Fence 300 (VF300) initiatives, through which CBP constructed hundreds of miles of new fencing between 2007 and 2008.
- Several senior managers, in addition to the BPAM PMO Director, and subject matter experts in areas such as engineering, design, real estate, environmental specialists, and analysts, who were a part of prior fence construction projects, including P70, PF225 and VF300, are still associated with the BPAM PMO and will be a part of any new fence program.



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Background: A Foundation on Which to Build Fence

- Collaborative Inter-agency Partnerships:
 - OFAM/BPAM PMO senior leadership developed and continues to have strong, collaborate, inter-agency partnerships with the US Army Corps of Engineers (USACE), the Department of Justice (DOJ), and other federal, state, and local agencies. These partnerships enable and position the agency to execute CBP's USBP border infrastructure requirements.
- Facilities and Tactical Infrastructure (FITT) Tracking Tool:
 - CBP developed a program management tool, FITT, that aggregates project management data integrated with a geographic information system (GIS).
 - This tool allows the project team to plan and track project execution through schedule and financial management, status and report on risks, and aggregate subject matter progress, such as real estate and environmental clearances.
 - The system includes a change management process that routes changes to scope, schedule, and budget through the team of project stakeholders for visibility, concurrence, and approval.
 - The system integrates project information, real estate and environmental clearance status, and the USBP asset inventory into a geospatial representation.
 - The tool's capabilities will also enable CBP to track detailed milestone progress for any fence construction requirements.



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Background: A Foundation on Which to Build Fence

- Costs:
 - The foundation for CBP cost per mile for primary fence construction costs is based on average costs associated with the construction of PF225 fence.
 - Current estimates have been updated to include the cost of real estate acquisition and additional potential risks.
 - These estimates do not account for future market fluctuations (e.g. increased fuel costs, labor, raw materials) that could increase the cost to construct.
- Primary Pedestrian Fence: Approximate range is (b) (5) per mile
 - Average of (b) (5) mile for real estate and environmental planning, construction and construction oversight
 - (b) (5) mile for mileage in all Sectors except Laredo & RGV
 - (b) (5) mile for mileage in Laredo & RGV
 - (b) (5) mile for environmental mitigation
 - (b) (5) mile for real estate acquisition
 - (b) (5) mile for staffing increases required to support the program





Background: Approach to Fence Construction

- Secondary Pedestrian Fence: (b) (5) per mile
 - Average of (b) (5) mile for real estate and environmental planning, construction and construction oversight – also include (b) (5) mile for road between layers of fence
 - (b) (5) mile for environmental mitigation
 - (b) (5) mile for real estate acquisition
 - (b) (5) mile for staffing increases required to support the program
- Vehicle Fence: (b) (5) per mile
 - Average of (b) (5) /mile for real estate and environmental planning, construction and construction oversight.
 - (b) (5) mile for environmental mitigation
 - (b) (5) mile for real estate acquisition
 - (b) (5) mile for staffing increases required to support the program



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Section II: USBP Initial Priority Requirements & Implementation Approach



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USBP Initial Priority Requirements: Summary & Cost Estimates

Focus is on:

- Estimated (b) (7)(E), (b) (5) have been identified as priority new pedestrian fence miles (San Diego, El Paso and Rio Grande Valley).
- Estimated (b) (7)(E) have been identified as priority replacement pedestrian fence and vehicle fence to pedestrian fence (San Diego, El Centro, Yuma, Tucson, and El Paso). Of the (b) (7)(E) of the fence replacement will be an upgrade from vehicle fence to pedestrian fence.
- An estimated (b) (5) in real estate of gates in RGV and (b) (7)(E) of roads that need to be maintained (estimated at (b) (5)) along the SWB have also been identified as priorities.

Requirement Type	New Miles	Acquisition/Initial Costs ROM (-50%/+100%) Cost	20 Year Recurring Costs (Maintenance and Repair)	Total End State Cost
New Primary PF	(b) (7)(E), (b) (5)			
Replacement Primary PF And VF to PF				
RGV Real Estate (Gates)				
Southwest Border Road Maintenance				
Total Costs		\$	(b) (5)	



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USBP Initial Priority Requirements: Acquisition Strategy

- CBP continues to work with the USACE to establish Multiple Award Task Order Contracts (MATOC) and Indefinite Delivery Indefinite Quantity (IDIQ) Contracts to allow for an expedited contract award process for fence construction.

Available* ECSO Horizontal Capacity

Pool	Set-Aside	Beginning Contract Capacity	Total \$ Awarded	Reserved Capacity	Available Capacity	Current Status of Procurement
SW Border Patrol Sectors	UR	\$75,000,000	\$30,095,148.00	\$0	\$44,904,852.00	Awarded
Laredo, Del Rio, & Big Bend	SDVOSB	\$70,000,000	\$15,219,269.75	\$32,500,000	\$22,280,730.25	Awarded
RGV Sector	8(a)	(b) (5)				
El Paso, Tucson & Yuma Sectors	8(a)					
San Diego & El Centro Sectors	HUBZone					



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USBP Initial Priority Requirements: Draft Estimated Timeline

Assumptions:

- 1)
- 2)
- 3)

(b) (5)

(b) (5)

Note:

(b) (5)



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USBP Initial Priority Requirements: Estimated Timeline Considerations

- OFAM is prepared to authorize USACE to begin market research for potential requirements on January 23, 2017.

- Environmental:

— (b) (5)

- Real Estate:

— (b) (5)

— An estimated (b) (7)(E) of priority requirements are in the Rio Grande Valley (historical O1 to O3 segments). (b) (5)

• (b) (5)





USBP Initial Priority Requirements: Estimated Timeline Considerations

- Government Furnished Material (GFM) and Supply Chain:

— (b) (5)

- The Buy American Act (BAA) sets out a preference for the purchase of domestic products. By virtue of the Trade Agreements Act (TAA), products from countries that are a party to certain trade agreements receive the same preferential treatment under the BAA.

— (b) (5)



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USBP Initial Priority Requirements: Estimated Timeline Considerations

- Additional staffing will be required in all program areas to meet the demands of fence construction while still maintaining current programs
 - Additional workload specifically in the areas of real estate, environmental, engineering, financial management, communications and reporting, project management, and support services will require additional staff within the program office and its parent organizations.

(b) (5)

[REDACTED]



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USBP Initial Priority Requirements: Next Steps

- OFAM is prepared to authorize USACE to begin market research for potential requirements on January 23, 2017
 - BPAM PMO is preparing an email to send for concurrence to authorize
- Continue collaboration with USBP to refine requirements
- Continue to coordinate with USACE on MATOC requirements
- Meeting was held on January 13, 2017 with Assistant Commissioner Borkowski to begin initial discussions regarding acquisition documentation to develop the ADM. Both the PARM and JRC were in attendance.
- Workshop scheduled for January 25, 2017 with internal BPAM PMO subject matter experts to continue to examine USBP requirements and further refine subsequent schedules. A follow-up meeting will be scheduled for early February with USACE subject matter experts and other stakeholders to gain consensus on the path forward.



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Section III: USBP Unconstrained Needs & Implementation Approach



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USBP Unconstrained Needs: Draft Estimated Timeline

Overall Project Assumptions:

- 1) (b) (5)
- 2) (b) (5)
- 3) (b) (5)

(b) (5)



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USBP Unconstrained Needs: Summary & Cost Estimates

Southwest Border

Requirement Type	New Miles	Acquisition/Initial Costs ROM (-50%/+100%)			20 Year Recurring Costs (M&R) ROM (-50%/+100%)			Total End State Cost		
		-50%	Point Est.	+100%	-50%	Point Est.	+100%	-50%	Point Est.	+100%
New Primary PF	(b) (7)(E)	(b) (5)								
New VF										
Replacement Primary PF										
Replacement Primary VF										
New Secondary PF										
New Roads										
Repairs to Existing Roads										
Total Costs										

*SCALE \$ MILLIONS

Unconstrained operational needs at the beginning of the planning process do not necessarily reflect the feasibility of the ultimate execution of those needs. These miles do not reflect the critical need nor do they reflect alternate enforcement solutions.



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*Some miles are operationally achievable with TI or other assets



USBP Unconstrained Needs: Summary & Cost Estimates

Northern Border

Requirement Type	New Miles	Acquisition/Initial Costs ROM (-50%/+100%)			20 Year Recurring Costs (M&R) ROM (-50%/+100%)			Total End State Cost		
		-50%	Point Est.	+100%	-50%	Point Est.	+100%	-50%	Point Est.	+100%
New Primary PF	(b) (7)(E)	(b) (5)								
New VF										
Replacement Primary PF & VF										
New Secondary PF										
New Roads										
Repairs to Existing Roads										
Total Costs										

*SCALE \$ MILLIONS

Unconstrained operational needs at the beginning of the planning process do not necessarily reflect the feasibility of the ultimate execution of those needs. These miles do not reflect the critical need nor do they reflect alternate enforcement solutions.



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USBP Unconstrained Needs: Summary & Cost Estimates

Southwest and Northern Border

Requirement Type	New Miles	Acquisition/Initial Costs ROM (-50%/+100%)			20 Year Recurring Costs (M&R) ROM (-50%/+100%)			Total End State Cost		
		-50%	Point Est.	+100%	-50%	Point Est.	+100%	-50%	Point Est.	+100%
New Primary PF	(b) (7)(E)	\$	(b) (5)							
New VF		\$								
Replacement Primary PF		\$								
Replacement Primary VF		\$								
New Secondary PF		\$								
New Roads		\$								
Repairs to Existing Roads		\$								
Total Costs		\$								

*SCALE \$ MILLIONS

Unconstrained operational needs at the beginning of the planning process do not necessarily reflect the feasibility of the ultimate execution of those needs. These miles do not reflect the critical need nor do they reflect alternate enforcement solutions.



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Section IV: Additional Key Considerations



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Additional Key Considerations

(b) (5)



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Additional Key Considerations

(b) (5)



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Additional Key Considerations

- (b) (5)
-



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APPENDIX A: MAPS



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WILL INCLUDE MAPS

- **MAPS**



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From: (b) (6), (b) (7)(C) -
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: "levee map"
Date: Friday, April 07, 2017 12:38:04 PM

Thank you, (b) (6), (b) (7)(C) That background will be helpful to provide to staff.

Thank you,

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

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 12:57 PM

To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) >

Subject: RE: 'levee map'

In regards to past environmental considerations associated with wall/levee in RGV, we relocated over 200 Sable palms, several cultural sites were documented through our cultural resource surveys and we attempted to avoid them where possible. In addition there were many wetlands areas identified through our initial surveys and we implemented Best Management Practices (BMPs) such as sediment and erosion control to minimize impacts to wetlands during construction. Some of the prior segments were constructed on the Lower Rio Grande National Wildlife Refuge and lands used for agricultural purposes. CBP strategically installed gates within these areas to allow for continued access to these areas.

New levee/wall construction in RGV would likely encounter similar environmental considerations and CBP would address them in a similar manner.

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 9:09:00 AM
To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: 'levee map'

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

Thank you sending. One concern I have with using this general response is that the (b) (5) (b) (6), (b) (7)(C). We know we are building a levee wall in this location.

Understanding that each project is unique, based on past levee wall projects in RGV, some in these same zones, is there any environmental considerations we can point to having done as the types of

options or considerations that might be made or could be made in the process? We can certainly caveat that each project, land parcel and situation is unique and not all options utilized in the past would be applicable or viable in the proposed projects.

We believe the staff wants to be supportive of these wall projects and include the funding for them but we are looking for information to help their members be more comfortable with them as well.

Thank you,

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

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

Office of Congressional Affairs
U.S. Customs and Border Protection

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

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

Sent: Friday, April 07, 2017 10:57 AM

To: (b) (6), (b) (7)(C)

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

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

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

Cc: (b) (6), (b) (7)(C)

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

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

Subject: RE: 'levee map'

Hi (b) (6), (b) (7)(C) –

Happy Friday. Please see the Q&A below and let us know if this works. We developed Q&As for Wall Prototype construction that likely need to be updated based on wall prototype schedule. My understanding is that the Q&As are with the Department for approval to be posted on CBP.gov. The idea is that CBP can direct external stakeholders to this information.

Thanks,

(b) (6),

Q49: What environmental impacts does DHS anticipate as a result of border wall construction?

A49: At this early stage, DHS cannot reasonably forecast what the environmental impacts of a wall might be. As noted, however, DHS is committed to responsible environmental stewardship. (b) (5)

(b) (5)

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

Sent: Friday, April 07, 2017 7:10 AM

To: (b) (6), (b) (7)(C)

>

Cc: (b) (6), (b) (7)(C)

>

Subject: RE: 'levee map'

(b) (6), (b) (7)(C) we will get you a response today

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

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

Sent: Thursday, April 06, 2017 5:45 PM

To: (b) (6), (b) (7)(C)

>

Cc: (b) (6), (b) (7)(C)

>

Subject: RE: 'levee map'

All,

Staff appreciated the additional maps and has asked about mitigating environmental impacts.

Specifically, "Given that the barrier is (b) (7)(E) and it will be connecting existing segments along the border near wildlife areas, are there any plans to mitigate impact on wildlife in terms of allowing movement across the border?"

Could you please provide a brief response?

Thank you,

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

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

Sent: Thursday, April 06, 2017 4:01:55 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

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

Since we are not considering O-2 in the FY17 plan, we don't have it in that map set.
Here is the standalone map.

Thanks,

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

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

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

Sent: Thursday, April 06, 2017 3:52 PM

To: (b) (6), (b) (7)(C)

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

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

Cc: (b) (6), (b) (7)(C)

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

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

Subject: RE: 'levee map'

Thank you, (b) (6), (b) (7)(C) I know this wasn't an easy undertaking and appreciate you taking the time to highlight the changes. I think these maps will help clarify some confusion for the staff.

Separate from the levee fence/wall, the first two maps include the O-1 and O-3 segments of the non-levee fence. Do you have the map of the (b) (7)(E) of the O-2 segment that we could add?

Thank you,

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

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

Office of Congressional Affairs

U.S. Customs and Border Protection

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

From: (b) (6), (b) (7)(C)]

Sent: Thursday, April 6, 2017 3:34 PM

To: (b) (6), (b) (7)(C)

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

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

< (b) (6), (b) (7)(C) >

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Attached is the requested map. Please accept apologies for the delay, it took longer to break out the sections than expected.

The attached map shows the following:

The Teal color is the proposed barrier.

The maps highlight the modification in proposed barrier by showing the added sections in highlighted green.

The segment that was removed is the barrier on the south levee in (b) (7)(E)

Where the new segment is a part of another segment, we are showing the new segment length in the green box, and the total segment length in the teal box.

Please let me know if you have any other questions.

Thanks,

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

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

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

Sent: Thursday, April 06, 2017 1:33 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

All –

In speaking with (b) (6), (b) (7)(C) we are producing a new set of maps that clearly show what has changed. We are targeting a 2 pm completion time for those maps.

I will be heading out soon, so please – contact (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) in my absence

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

Director, Business Operations Division (Acting)

Border Patrol & Air and Marine Program Management Office
Facilities Management and Engineering
Office of Facilities and Asset Management
Mobile: (b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) .

Sent: Thursday, April 06, 2017 12:32 PM

To: (b) (6), (b) (7)(C)

>

Cc: (b) (6), (b) (7)(C)

>

Subject: RE: 'levee map'

Thank you, (b) (6), (b) (7)(C)

Unfortunately, because it was not conveyed to OCA that the "updated map" reflected a change in the USBP requirements, that was not communicated to the staff and so there will be further confusion. Additionally, B1 and C1 briefed the staff and members on a request based on a requirement that included the (b) (7)(E) Has this updated requirement been briefed to leadership?

Thank you,

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

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

Sent: Thursday, April 6, 2017 12:29 PM

To: (b) (6), (b) (7)(C)

>

Cc: (b) (6), (b) (7)(C)

>

Subject: RE: 'levee map'

(b) (6), (b) (7)(C) – Per our conversation, to discuss the operational requirements, please reach out to (b) (6), (b) (7)(C)

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

Director, Business Operations Division (Acting)
Border Patrol & Air and Marine Program Management Office
Facilities Management and Engineering
Office of Facilities and Asset Management
Mobile: (b) (6), (b) (7)(C)

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

Sent: Thursday, April 06, 2017 12:13 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

(b) (6), (b) (7)(C) can you please call me?

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

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

Sent: Thursday, April 6, 2017 12:09 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Attached, please let me know if you need anything else.

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

Director, Business Operations Division (Acting)
Border Patrol & Air and Marine Program Management Office
Facilities Management and Engineering
Office of Facilities and Asset Management
Mobile: (b) (6), (b) (7)(C)

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

Sent: Thursday, April 06, 2017 12:06 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Thank you (b) (7)(E) – I know folks are working as fast as possible but I was told by the staff that they need a response within the next few minutes. Is there anything we can provide on the (b) (7)(E)

mileage or the mileage in (b) (7)(E), if not the whole answer?

Thank you!

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

Sent: Thursday, April 6, 2017 12:00 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

I realize it is 11:59 and you asked for this by noon – know that we are working as fast as we can to get you an update and will send asap.

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

Director, Business Operations Division (Acting)
Border Patrol & Air and Marine Program Management Office
Facilities Management and Engineering
Office of Facilities and Asset Management
Mobile: (b) (6), (b) (7)(C)

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

Sent: Thursday, April 06, 2017 11:39 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Thank you!

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

Sent: Thursday, April 6, 2017 11:38 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

(b) (6), (b) (7)(C) – we are looking at it now, stay tuned.

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

Director, Business Operations Division (Acting)
Border Patrol & Air and Marine Program Management Office
Facilities Management and Engineering
Office of Facilities and Asset Management
Mobile: (b) (6), (b) (7)(C)

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

Sent: Thursday, April 06, 2017 11:16 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Importance: High

All,

Staff has pointed out that the zone project breakdown, attached here, which was provided by Chief Vitiello to accompany USBP's narrative includes mileage for each zone. This was circulated on March 23 as a getback to a conference call. They are questioning the mileage of (b) (7)(E) now that the updated map has eliminated the (b) (7)(E). They have also pointed out that the zone project breakdown ends at (b) (7)(E), and the map clearly show proposed wall into (b) (7)(E).

Can we update this chart or provide them with an accurate mileage breakout by zone? They are working to justify spending in the bill and need to be able to explain where these projects are located. We need to provide staff a response as soon as possible, **by Noon the latest**.

Thank you,

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

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

Sent: Thursday, April 6, 2017 10:32 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Here is a more zoomed in version of that map so hopefully the zones are broken out a bit more

clearly for you. Please let me know if you need anything else ☺

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

Business Operations

OFAM / BPAM PMO

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

[REDACTED]

[REDACTED]

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

Sent: Thursday, April 06, 2017 10:19 AM

To: (b) (6), (b) (7)(C)

[REDACTED]

Cc: (b) (6), (b) (7)(C)

[REDACTED]

Subject: RE: 'levee map'

Thank you!

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

Office of Congressional Affairs

U.S. Customs and Border Protection

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

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

Sent: Thursday, April 6, 2017 9:53 AM

To: (b) (6), (b) (7)(C)

[REDACTED]

Cc: (b) (6), (b) (7)(C)

[REDACTED]

Subject: RE: 'levee map'

Updated map attached

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

Director, Business Operations Division (Acting)

Border Patrol & Air and Marine Program Management Office

Facilities Management and Engineering

Office of Facilities and Asset Management

Mobile: (b) (6), (b) (7)(C)

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

Sent: Thursday, April 06, 2017 9:36 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'flevee map'

Thank you, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) would you have time now to walk through the zones and segments on the RGV section (pg. 72-82) of the attached maps? I'm at (b) (6), (b) (7)(C).

I'm just looking to be able to say to staff (b) (7)(E) existing pedestrian fence is segments O-X, O-Y-, OZ and that is "flevee" because they are confused by the labels of pedestrian existing, proposed barrier and then the labels used in the request.

Thank you,

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

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

Sent: Thursday, April 6, 2017 9:24 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'flevee map'

Hi (b) (6), (b) (7)(C) –

Yes to both of your questions.

We will have an updated map by 10 am and (b) (6), (b) (7)(C), cc'd here, is available to walk you through the map labels as well. Please let us know when you are free and what # she can reach you at.

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

Director, Business Operations Division (Acting)
Border Patrol & Air and Marine Program Management Office
Facilities Management and Engineering
Office of Facilities and Asset Management
Mobile: (b) (6), (b) (7)(C)

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

Sent: Thursday, April 06, 2017 8:50 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Importance: High

Good Morning All,

Staff has indicated they need to provide their leadership with a response on the appearance of the two parallel levee fences in (b) (7)(E) by **this morning at 10 am**. Have you made any progress with USBP or do we need to elevate this with their leadership this morning?

Additional the staff is very confused regarding the difference between the segment labels and the zones. Can we walk through the various segments of existing and planned fencing in RGV shown in the attached maps this morning so that we can try and provide some clarity on that front and hopefully avoid a fire drill phone request from the staff?

Thank you,

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

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

Office of Congressional Affairs

U.S. Customs and Border Protection

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

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

Sent: Tuesday, April 4, 2017 2:09 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Ok thanks, that's helpful to know that it isn't just an issue with the map.

Thanks,

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

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

Office of Congressional Affairs

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

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

Sent: Tuesday, April 4, 2017 1:58 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

I will defer to (b) (6), (b) (7)(C) on what was shared beforehand.

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

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

Director, Business Operations Division (Acting)
Border Patrol & Air and Marine Program Management Office
Facilities Management and Engineering
Office of Facilities and Asset Management
Mobile: (b) (6), (b) (7)(C)

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

Sent: Tuesday, April 04, 2017 1:45 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

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

Just to confirm, there have not been any updates made to this map since we last shared with staff, correct?

Do we know if the issue (b) (7)(E) is just in the mapping software or is there (b) (7)(E) ?
I can explain to staff that we are working to correct the issue with the map but in the meantime ask that they ignore the "(b) (7)(E)" if we've confirmed that the issue is with the map and a (b) (7)(E)
(b) (7)(E)

Thank you,

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

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

Sent: Tuesday, April 4, 2017 1:37 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Hi (b) (6), (b) (7)(C) – Attached is the map. Please note that we are still addressing the area in (b) (7)(E) that shows (b) (7)(E). We are working with USBP to resolve this.

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

Director, Business Operations Division (Acting)
Border Patrol & Air and Marine Program Management Office
Facilities Management and Engineering
Office of Facilities and Asset Management
Mobile: (b) (6), (b) (7)(C)

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

Sent: Tuesday, April 04, 2017 10:59 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Good Morning,

Thank you again for the assistance with the levee wall photos. Are we still tracking to have an updated map to share with the staff this morning?

Thanks again,

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

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

Office of Congressional Affairs
U.S. Customs and Border Protection

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

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

Sent: Monday, April 3, 2017 6:42 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Hi (b) (6), (b) (7)(C) – We are working this. Photos are coming shortly. Maps will be in the am.

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

Director, Business Operations Division (Acting)
Border Patrol & Air and Marine Program Management Office
Facilities Management and Engineering
Office of Facilities and Asset Management
Mobile: (b) (6), (b) (7)(C)

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

Sent: Monday, April 03, 2017 5:33 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Staff has asked if we will have something to share tonight. Are we still tracking to have the updated map and pictures for them for this evening?

Thanks again,

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

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

Sent: Monday, April 03, 2017 3:14:41 PM

To: (b) (6), (b) (7)(C) W

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Stand by. We'll get something.

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

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

Sent: Monday, April 3, 2017 3:14 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: 'levee map'

Is there an updated map that reflects that?

From: (b) (6), (b) (7)(C)
Sent: Monday, April 03, 2017 3:06:27 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: 'levee map'

The (b) (5) has been removed -

(b) (6), (b) (7)(C)
[REDACTED]

From: (b) (6), (b) (7)(C)
Sent: Monday, April 03, 2017 2:55 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
[REDACTED]
Subject: RE: 'levee map'

Thanks (b) (6), (b) (7)(C) We'll send the MR394 map and follow up with USBP.

Appreciate your help,

(b) (6), (b) (7)(C)
[REDACTED]

From: (b) (6), (b) (7)(C)
Sent: Monday, April 3, 2017 2:45 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
[REDACTED]
Subject: RE: 'levee map'

(b) (6), (b) (7)(C) – USBP was supposed to answer the (b) (7)(E) requirement question. I would follow up with them. As far as answering (b) (6), (b) (7)(C) question, the second map MR 394 should do it. I would not send the O1_O3 map.

(b) (6), (b) (7)(C)
[REDACTED]

From: (b) (6), (b) (7)(C)
Sent: Monday, April 3, 2017 2:27 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: 'levee map'

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

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

You had recently provided, and we shared with the staff the attached maps with the proposed wall and levee wall. Not looking to add to the workload, I can resend either of these maps to the staff, per this new request.

My one question was did we find out why it looks like a (b) (7)(E) in (b) (7)(E) on both of these maps?

Thanks again,

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

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

Office of Congressional Affairs

U.S. Customs and Border Protection

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

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

Sent: Monday, April 3, 2017 2:09 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: 'levee map'

Many thanks for getting on the line today. Do you have any good maps of the current or proposed levee? Apologize if we already have this somewhere. If so, please forward.

From: (b) (6), (b) (7)(C)
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: RGV - (b) (7)(E) Boat Ramp Repairs
Date: Friday, March 10, 2017 11:32:34 AM
Attachments: (b) (7)(E) Boat Ramp License Signed (b) (6), (b) (7)(C)
image001.png
image002.png
image004.png
image006.png
MasterExhibit (b) (7)(E) BoatRamp_Starr.pdf
RGV_Starr (b) (7)(E) BoatRamp (b) (7)(E) CBP License.pdf
Importance: High

Good morning (b) (6), (b) (7)(C) in response to your below email – I understand that this has emerged as a hot issue for RGV Sector.

I do not proclaim to have all of the facts of how we arrived at this juncture, because I am coming into it a bit late, but my understanding of the bottom line is that the owner of this boat ramp is currently barring access to BP until CBP completes the repairs it started and then stopped when it was realized that there was insufficient real estate clearance.

I have cc'd some other folks from BPAM, OCC and USACE who are now also involved in helping resolve this matter. I did not see it as my place to cc BP HQ, but you may want to consider bringing them into the loop on this issue.

As I said, I was brought into this issue recently, primarily because it overlaps an active open PF225 Condemnation case, but also because I like to help with involved and complex real estate issues.

I assure you that we are doing our best to untangle the knot and resolve all of the real estate issues.

As you'll see on the second attachment and in the below explanation, there is an ongoing open PF225 condemnation case that we're working to close out; the case shares part of the same access road as the boat ramp. This case was not deemed "high-priority" as compared to the rest of the O-1,2,3 cases we're working, so not much has been done on it yet unfortunately. However, we'll push it up on the priority list now, because of this boat ramp issue...they share the same access road as you'll see.

I have seen a lot of complicated real estate situations in RGV, and this one ranks right up there. That said, I'll do my best to summarize based on my understanding of what transpired, where we are now, and what we're doing:

1. Repair work by the CTIMR contractor commenced on the (b) (7)(E) boat ramp
 - a. Apparently work was then stopped shortly after a crane was staged and had just started work, because it was recognized that real estate clearance was actually insufficient
 - b. The owner is purportedly claiming that the crane left the site even more damaged
2. Real Estate Clearance was predicated on the attached license agreement (*ref first attachment to this email*)
 - a. However, the landowner who executed this agreement does not hold an easement over the entirety of the road leading to his property – shown as a yellow dashed line on the exhibit to the license.
3. The Access Road north of the boat ramp property was formerly "understood" to be "public" based upon discussions with the County
 - a. However, as we learned during PF225, the counties in RGV are known to inadvertently misrepresent what roads are "public" vs "private." That is how we wound up gating George Saenz Lane over on O-21. Only in that case, it was the opposite issue - Cameron County told us it was not theirs, but title research proved that it was in fact public.
 - b. The bottom line is that we can never take the County's word for it – it's the equivalent of an assumption unfortunately. We need to do the independent title research when the question arises as to whether a given road is public or private. This is particularly true here in Starr County, where land records are notoriously deficient. As you may know, the last two tax assessors and much of their staffs were removed under criminal charges – sufficed to say, the records are not what they ought to be.
 - i. **ACTION CURRENTLY UNDERWAY: USACE is in the process of performing that title research now, but it may take 3-4 weeks.**
4. REF the attached Exhibit/Map (it highlights the "big picture")
 - a. The blue line is the portion of road that is paved, and that is generally understood to be public.
 - b. The landowner who signed the license now owns more land – he purchased a second parcel along the river, so he now owns (82654 & 62740)
 - c. That leaves the yellow portion of road between 62740 and the blue road in question – is it public or private? That is what USACE is researching
 - i. (b) (5)
 - ii. There is another complex issue having to do with the owner of (66036 & 83630) to the west of the access road.

1. (b) (6), (b) (7)(C)
2. We'll likely need to await the completion (b) (5)

d. PF225 (Unconstructed Segment O-1) CONDEMNATION ACTION:

- i. CBP filed a Declaration of Taking (DT) for RGC-1045 along the river, and for all of the access road tracts. However, we never received a possession order before the O-1 segment cases were "paused" due to the effort to re-align the fence swath to meet IBWC's flood plain requirements.
- ii. (b) (5)
- iii. However, we still need to await USACE's title research regardless.
- iv. NOTE – now that the landowner of the boat ramp bought parcel 62740, he'll need to be named in the condemnation action because he now owns a portion of the fence access road and fence swath, but I would bet he doesn't know that yet.

In closing, I asked for all relevant documents, and the third attachment was forwarded to me. It is a license that RGV Sector entered into with this landowner to use the boat ramp.

Although this use agreement is arguably not technically a real estate issue, I consulted OCC because it's something I had seen before. Without going into detail on this email, there are a couple of legal issues/questions raised by the agreement, so I would strongly recommend that Sector consult with OCC and local counsel before using this agreement again. Sector can also consult with OCC and local counsel if in fact it has an operational need to supersede the owner's denial of use of the ramp, predicated on BP's statutory patrol authority.

I hope that helps...

If you would like to have a call on this next week, I'll tee it up.

v/r

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

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

Sent: Friday, March 10, 2017 10:43 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: FW: RGV - (b) (7)(E) Boat Ramp Repairs

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

I was informed that the repairs to this ramp are on hold until further notice.

I'm anticipating that our Chief Patrol Agent (CPA) will ask me numerous questions since the project has been reported as being stagnant for quite some time. This particular project (b) (7)(E) (b) (7)(E) As mentioned above and listed on the below string the area has seen a spike in violence toward our agents and law enforcement in general.

- Why is the process moving so slowly?
- Is there anything that we do to expedite the process?
- Why were we authorized to make repairs before but we can't now?
- As the top priority for Border Patrol can we get a waiver or other means to conduct the repairs?

The landowner has been very patient with us and he has hinted that he will ask us to not to use his ramp if he can't make repairs to damage we caused. (b)(6);(b)(7)(C) already requested that National Guard get off his property and we don't want to be next.

I was also informed to coordinate with your office any communication with (b)(6);(b)(7)(C) I have not provided him with any updates but he keeps calling me. I don't mind fielding the call just not sure what to tell him at this point. Please provide guidance and response to above question in order for me to update my management and CPA.

Respectfully,

(b) (6), (b) (7)(C)
Operations Officer
RGV Sector/Tactical Infrastructure
(b) (6), (b) (7)(C)

"Become the kind of leader that people would follow voluntarily, even if you had no title or position." --Brian Tracy

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 3:04 PM
To: (b) (6), (b) (7)(C)
>
Cc: (b) (6), (b) (7)(C)
Subject: RE: RGV - (b) (7)(E) Boat Ramp Repairs

(b) (6), (b) (7)(C)
Per our phone conversation, the important issue is to repair the damage that we caused that made the ramp unusable for (b) (6), (b) (7)(C).
If that includes damage that was done to the toe, that repair can be included in the agreement of work.
The primary point is to "repair" the ramp and not to "improve" or "rebuild" it.

And, of course, we need to have (b) (6), (b) (7)(C) and BP agree and record the identified repairs prior to initiation of the work.

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

(b) (6), (b) (7)(C)
Realty Specialist
Sev1tech, Inc.
Real Estate, Environmental & Leasing Division
US Customs and Border Protection
150 Westpark Way
Euless, TX 76046

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

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 2:44 PM
To: (b) (6), (b) (7)(C)
>
Cc: (b) (6), (b) (7)(C)
Subject: RE: RGV - (b) (7)(E) Boat Ramp Repairs
Importance: High

Good Afternoon All,

Our Chief Patrol Agent has deemed this area of high priority (b) (7)(E)
(b) (7)(E) A few months ago we had a significant incident in the area.

- See articles on the following links:
 - o <http://valleycentral.com/news/local/texas-department-of-public-safety-trooper-shot-in-starr-county>
 - o http://www.themonitor.com/news/local/trooper-shot-near-the-rio-grande/article_e2b81260-b347-11e6-96f3-7fc9b55d9def.html

I informed (b) (6), (b) (7)(C) of the proposed work and he is not pleased. He mentioned that he may ask us to stop using his ramp as a result of the lack of repairs. The ramp is not in optimal condition but our boat patrol agents are able to deploy since the water levels are currently high. (b) (6), (b) (7)(C) has been very tolerant but seems like he is running out of patience. Thanks to all that have been great assistance with this and all other projects.

Respectfully,

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

Operations Officer

RGV Sector/Tactical Infrastructure

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

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

Sent: Friday, February 24, 2017 2:10 PM

To: (b) (6), (b) (7)(C)

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

Cc: (b) (6), (b) (7)(C) >

Subject: RE: RGV - (b) (7)(E) Boat Ramp Repairs

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

From a Real Estate perspective, in accordance with (b) (6), (b) (7)(C) email below, we have determined that the route from the public road is "green" for repairs. I know it is difficult to quantify "minor repairs", but the basis is that we need to repair the damage back to the prior condition. CBP and DOJ counsel have agreed to this. However, if we were going to **replace** the ramp or do significant "improvements" we would have to reevaluate the access.

From a Real Estate standpoint, we will accept the agreement between local BP and the landowner on the extent of the repairs required.

That is why we want the landowner to agree beforehand on the exact level of work.

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

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

Realty Specialist

Sev1tech, Inc.

Real Estate, Environmental & Leasing Division

US Customs and Border Protection

150 Westpark Way

Euless, TX 76046

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

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

Sent: Friday, February 24, 2017 1:40 PM

To: (b) (6), (b)(6);(b)(7)(C)

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

Cc: (b) (6)

Subject: RGV - (b) (7)(E) Boat Ramp Repairs

(b) (6),

I'm trying to determine what minor repairs are considered acceptable in order to restore the boat ramp to its original condition as per your email.

The before photos below dated 12/15/15 show the boat ramp had a functional ramp and toe before the damages. It certainly didn't meet standards, but it was operational.

Since the equipment damage to the ramp by the contractor (see after photo below dated 02/21/17) the end of the ramp has completely eroded as well as the toe. It was dragged away due to the water that got underneath the leftover ramp.

(b)(6);(b)(7)(C) claim is that we damaged the end of the ramp (approximately 30 ft. from the ramp to the river), and also caused the toe damages. He told (b) (6), (b) (7)(C) yesterday that he expects both ramp and toe to be repaired. Stating he would cutoff CBP's use of the ramp if they weren't.

(b) (7)(E) is the only ramp access in the (b) (7)(E) area available to the agents and not having access will be detrimental to CBP's operations.

QUESTIONS:

-
(b) (6), (b) 1) What damage is acceptable to repair? Ramp and Toe or Ramp only?

(b) (6), (b) 2) I understand CBP must follow the terms of the existing License Agreement with (b)(6):(b)(7)(C) but do we have green/green access from the public road to enter property and perform the work? I understand we don't, but I may be wrong.

Ramp conditions before damages:





Ramp conditions after damages (05/15/16 & 02/21/17)







From: (b) (6)

Sent: Wednesday, February 15, 2017 5:50 PM

To: (b) (6), (b) (7)(C) >

Cc: (b) (6), (b) (7)(C)

[REDACTED]

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

Subject: RE: RGV - (b) (7)(E) Boat Ramp Update
Importance: High

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

(b) (5)

Respectfully,

(b) (6)

Realty Specialist
Interagency Support Branch
p. (b) (6)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, February 15, 2017 10:24 AM
To: (b) (6), (b) (7)(C) >
Cc: (b) (6), (b) (7)(C)

Subject: [EXTERNAL] RE: RGV - (b) (7)(E) Boat Ramp Update
Importance: High

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

I'm getting pinged by the landowner quite frequent regarding the repairs to the boat ramp. The sub-contractor damaged his ramp as we were trying to repair it.

Is there anything that can be done? He has been very cooperative our boat patrol is still launching from the ramp since the water levels have been high. He is hinting he may want us out of his property if we don't make the necessary repairs. I understand the litigation process just trying to see if there's any way to expedite the process in order to keep a friendly landowner on our side.

Respectfully,

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

Operations Officer
RGV Sector/Tactical Infrastructure
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 14, 2017 1:38 PM
To: (b) (6), (b) (7)(C) >
Cc: (b) (6), (b) (7)(C)

Subject: RE: RGV - (b) (7)(E) Boat Ramp Update

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

Thanks for the additional information.

Unfortunately, as I understand it, we are still hindered in proceeding due to the ongoing litigation.

(b) (6)

Has the government attorney provided any forecast in regard to when the pending cases may actually make it to court?

(b) (6), (

(b) (6), (

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

Realty Specialist

Sev1tech, Inc.

Real Estate, Environmental & Leasing Division

US Customs and Border Protection

150 Westpark Way

Eules, TX 76046

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

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

Sent: Tuesday, February 14, 2017 1:17 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: RGV - (b) (7)(E) Boat Ramp Update

(b) (6), (b)

Attached are two additional pictures of the previously provided document.

Recording # (b)(6);(b)(7)(C)

Respectfully,

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

Operations Officer

RGV Sector/Tactical Infrastructure

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

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

Sent: Friday, February 03, 2017 11:41 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: RGV - (b) (7)(E) Boat Ramp Update

(b) (6), (b) (

Two things – 1) can you provide the recording number on the deed? USACE can use that number to access the document.

2) (b)(6);(b)(7)(C) purchase will just change the name of the landowner of that parcel in the litigation for the Amended Declaration of Taking. There are other parties in the condemnation case. So, we will still have to wait until this case is resolved and

closed by the Federal Courts.

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

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

Realty Specialist
Real Estate, Environmental & Leasing Division
US Customs and Border Protection
150 Westpark Way
Euless, TX 76046

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

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

Sent: Friday, February 03, 2017 9:39 AM

To: (b) (6), (b) (7)(C) >

Cc: (b) (6), (b) (7)(C)

Subject: RE: RGV - (b) (7)(E) Boat Ramp Update

Importance: High

Good Morning (b) (6), (b) (7)(C)

I just received a call from (b) (6), (b) (7)(C) he informed me that he just purchased some of the property that was in litigation. He claimed that it's the property directly to the west of his property.

Attached is a picture of the warranty deed. We can obtain a better copy in the near future.

Does this change anything in order for us to make the repairs? Thanks

Respectfully,

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

Operations Officer
RGV Sector/Tactical Infrastructure
(b) (6), (b) (7)(C)

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

Sent: Wednesday, May 18, 2016 7:35:37 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: RGV - (b) (7)(E) Boat Ramp Update

I am sorry to hear this news, but we all know the risks in obtaining RE clearances. I thank you for the update and all the hard work placed in the attempt.

Let this not discourage us from going forward with the remaining boat ramps.

Let's take a look at the latest ramp spreadsheet and go forward with the next one.

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

Sent: Tuesday, May 17, 2016 5:15 PM

To: (b) (6), (b) (7)(C) >

Cc: (b) (6), (b) (7)(C)

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

Subject: RE: RGV - (b)(6);(b)(7)(C) Boat Ramp Update

All,

I hate to be the bearer of bad news, but getting Real Estate clearance for (b)(6);(b)(7)(C) is not looking very promising. As indicated in the previous updates, several of the properties from (b) (7)(E) to the (b)(6);(b)(7)(C) property were, and still are, involved in litigation as a result of the fence project. And in the words of the U.S. Attorney's office, "Unfortunately, it may take quite a while to get possession of these easements." And in response to our questions regarding the time they might need to get these cases resolved, they replied, "any time estimate we provide now would be purely speculative."

So, even though we have a license agreement with (b)(6);(b)(7)(C) for the ramp area and the access across his property, we do not have license agreements or any other rights for the access road from (b) (7)(E) to the (b)(6);(b)(7)(C) property. And I do not anticipate we will be able to obtain these rights for some time.

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

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

Sr. Program Mgmt. Specialist
CBP/BPFTI
DOS Logistics, Inc.

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

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

Sent: Monday, May 16, 2016 7:33 AM

To: (b) (6), (b) (7)(C) >

Cc: (b) (6), (b) (7)(C)

Subject: RE: RGV - (b) (7)(E) Boat Ramp Update

Thanks (b) (6), (b) (7)(C) So this means we are green for the ramp and toe at (b) (7)(E). Now let's see if (b) (6), (b) (7)(C) can get us road access and M&R rights.

(b) (6), (b) (7)(C) make sure we document this especially on the summary page.

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

Sent: Monday, May 16, 2016 6:30 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: RGV Boat Ramp Update

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

The environmental clearance in place covers replacing the toe as well as conducting the repairs necessary from the damage that occurred when they were trying to fix the toe a few months ago. I'll keep you posted on the clearance for the road repairs.

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

(b) (6), (b) (7)(C), PMP
Sr. Environmental Specialist
LMI Government Consulting
Border Patrol Facilities and Tactical Infrastructure
Program Management Office
Facilities Management and Engineering
1331 Pennsylvania Avenue, NW,
Suite 1555, Mailstop 1102
Washington, DC 20229
Mobile: (b) (6), (b) (7)(C)

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

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

Sent: Friday, May 13, 2016 11:43 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: RGV Boat Ramp Update

Yes, you are correct. If I remember correct, the contractor did cause damage to the ramp and that needs repaired as well as the toe.

(b) (6), (b) (7)(C) the ENV must be for a full footprint that would include the ramp and toe and of course the road.

As far as RE goes, (b) (6), (b) (7)(C) is working to get us access and enable for M&R on the road.

In summary, (b) (7)(E) Boat Ramp will be a ramp and toe repair. (b) (6), (b) (7)(C) needs to get us access and M&R rights on the road. (b) (6), (b) (7)(C) needs to get us ENV green for the footprint and road. The estimate includes fixing the ramp and toe.

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

Sent: Friday, May 13, 2016 10:19 AM

To: (b) (6), (b) (7)(C)

>

Cc: (b) (6), (b) (7)(C)

Subject: RE: RGV Boat Ramp Update

Importance: High

Good Morning (b) (6), (b) (7)(C)

Can I get some clarification?

Road Boat Ramp – 3/2016 construction began and then delayed due to high water and heavy water flow. New estimate to be reviewed. RE has discovered a litigation concerns on the access road and rescinded RE green status on road until resolved. ENV will proceed, estimating ENV green within 2 months for road and toe. This will be a toe repair only.

If I understand correctly this ramp is already environmentally green to conduct toe repairs. The road is not clear and the a full redo cannot be conducted with the current environmental. I included (b) (6), (b) (7)(C) so she can assist with this information since she was also on the teleconference. (b) (6), (b) (7)(C) also advised that he would look into the current Real Estate issue on the road leading to this boat ramp.

I'm glad that an additional boat ramp ((b) (7)(E)) has been placed in the process of repairs. Thank you.

Respectfully,

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

Operations Officer
RGV Sector/Tactical Infrastructure
(b) (6), (b) (7)(C)

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

Sent: Friday, May 13, 2016 9:25 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RGV Boat Ramp Update

Meeting held 5/12/2016 that addressed the following boat ramps:

RGV Boat Ramps

Attendees:

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

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

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

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

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

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

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

DECISIONS:

Due to the high water levels, most ramps will need to use the sheet piling method due to the water levels.

Even using the sheet piling method, water levels and flows must be evaluated. Lowest period are between October and February. Once ramps are g/g, we will evaluate the water and flow levels to determine the best construction times.

ACTIONS:

(b) (7)(E) Boat Ramp – Requesting estimate from contractor, to begin RE and ENV clearances for road and ramp. Once estimate has been received, start the PRD data entry. Full ramp repair and possible road repair.

(b) (7)(E) Boat Ramp – Reviewing estimate, requested BU/BE to begin PRD data process, Real Estate is now green for road and ramp, ENV estimates 3 months to clear road and ramp. Full ramp repair and possible road repair.

(b) (7)(E) Boat Ramp – 3/2016 construction began and then delayed due to high water and heavy water flow. New estimate to be reviewed. RE has discovered a litigation concerns on the access road and rescinded RE green status on road until resolved. ENV will proceed, estimating ENV green within 2 months for road and toe. This will be a toe repair only.

(b) (7)(E) Boat Ramp – Reviewing estimate from contractor, requested BE/BU to begin PRD data process, Real Estate is green for both road and ramp. ENV estimates 3 months for green status. Full ramp repair and possible road repair.



U.S. Customs and
Border Protection

January 25, 2016

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

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

Please find the enclosed fully executed license for your records. U.S. Customs and Border Protection (CBP) thanks you for your participation in the license program and support of our nation's security.

If you have any questions, please contact (b)(6);(b)(7)(C) or by e-mail at (b) (6), (b) (7)(C)

Sincerely,

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

Director
Real Estate and Environmental Services Division
Border Patrol Facilities and Tactical Infrastructure
Program Management Office
U.S. Customs and Border Protection

Enclosures

License Agreement

between

U.S. Customs and Border Protection

and

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

within

Rio Grande Valley Border Patrol Sector

WHEREAS, (b)(6);(b)(7)(C) (hereinafter "Licensor") is the lawful owner of the property at (b)(6);(b)(7)(C) Parcel ID # Unknown (hereinafter "Property") as shown on Exhibit A;

WHEREAS, U.S. Customs and Border Protection (hereinafter "CBP"), through the United States Border Patrol, is responsible for securing the United States border;

WHEREAS, from time to time, CBP, its officers, employees, agents and contractors may enter upon the Property to maintain and repair roadways and a boat ramp to ensure that CBP is able to safely and effectively patrol the United States border;

WHEREAS, Licensor understands and acknowledges that this License does not affect the authority of CBP to access property, as authorized by law, in the course of performing its border security and enforcement mission;

WHEREAS, this License expresses Licensor's permission for CBP, its officers, employees, agents and contractors to access the Property for the purpose of maintaining and repairing roadways and boat ramp located on the Property; and

WHEREAS, Licensor acknowledges that well-maintained roadways and boat ramp on the Property provide a benefit to Licensor;

IT IS HEREBY AGREED by Licensor, effective this 13 day of January, 2016, that CBP, its officers, employees, agents and contractors are permitted to enter upon the Property to maintain and repair existing roadways and a boat ramp (including, but not limited to, removing hazards, graveling, grading, debris removal, filling in potholes, mowing, correcting weather-related damage to roadway surfaces, and/or assembly, placement, and removal of temporary structures or improvements on or near the boat ramp, which may include, but not be limited to, welding of metal or steel components and anchoring said structures or improvements into the ground or soil to ensure stability) located on the Property. Licensor agrees to permit CBP, its officers, employees, agents and contractors to temporarily store maintenance and repair equipment and material on the Property. Licensor further agrees to permit CBP, its officers, employees, agents and contractors to enter upon the Property for the purpose of accessing and maintaining adjacent properties.

THE LICENSOR FURTHER AGREES that, for a period not to exceed one hundred and eighty (180) days from the effective date of this License, CBP, its officers, employees, agents, and contractors shall have the right to enter upon the Property for the purpose of conducting environmental assessments, including the right to temporarily store, move and remove necessary equipment and supplies, survey, stake out, appraise, bore and take soil and/or water samples, and to perform any other such work which may be necessary and incidental to the CBP's assessment of the Property prior to CBP maintenance and repair of existing roadways located on the Property under this License.

1. Authority. Licensor affirms its lawful ownership of the Property and its authority to execute this License to permit CBP, its officers, employees, agents and contractors to access the Property for the purpose of maintaining and repairing roadways located on

the Property and/or for the purpose of conducting environmental assessments on the Property.

2. Revocability. CBP's right to enter upon the Property to maintain and repair existing roadways on the Property pursuant to this License will not automatically terminate upon a date certain; however Licensor retains the right to revoke the License, and any rights granted herein, at any time and for any reason. NOTICE: In the event Licensor decides to revoke this License, Licensor agrees to provide written notice of revocation to CBP at least 30 days prior to the date of revocation by delivering the notice to the License Administrator at the following address:

U.S. Customs and Border Protection
ATTN: License Administrator
1331 Pennsylvania Avenue NW
Washington, D.C. 20229

The License Administrator can also be reached via phone at (b) (7)(E) or via email at (b) (7)(E)

3. Contact for Questions, Concerns or Changes of Ownership Information. After executing this License, should the Licensor have any questions or concerns regarding this License or work performed under this License – CBP invites the Licensor to contact the License Administrator cited above. CBP is committed to being responsive to any and all correspondence received from Licensors. Additionally, the Licensor is encouraged to notify the License Administrator of any changes in land ownership – to include changes to the Licensor's contact information (name, address, phone, etc.).

4. Restoration. Considering the nature of the use authorized by this License, in the event of revocation, or in the event CBP determines that it is no longer necessary to

access the Property for the purpose of maintaining and repairing roadways pursuant to this License, CBP will remove maintenance equipment from the Property, but CBP will not cause the Property to be restored to any earlier condition, provided, however, that CBP will refill any bore holes that are created as a part of CBP's assessment of the Property.

5. Costs. Licensor acknowledges that this License is being granted to CBP without cost or monetary compensation to Licensor. CBP acknowledges that it is responsible for the costs of the maintenance and repair and/or assessment activities performed under this License.

6. Non-Exclusivity. CBP's use of the Property authorized by this License does not limit Licensor's ability to use the Property. However, Licensor understands that this License in no way restricts CBP from conducting any statutorily authorized activities on the Property.

7. Permission Specific to Licensor. This License is effective only insofar as Licensor retains ownership of the Property. Licensor agrees to provide written notice of revocation as set forth above in the event Licensor transfers its ownership of the Property.

8. No Assignment or Transfer. Only CBP, its officers, employees, agents and contractors may enter upon the Property pursuant to this License.

9. Modification or Amendment. This license may only be modified or amended by a written agreement, signed by Licensor and an authorized representative of CBP.

10. No Waiver of Federal Tort Claims Act Remedies. Licensor does not waive any right to seek remedies for any damages that may result from this License. Licensor

understands that its exclusive remedy for damage claims is pursuant to the Federal Tort Claims Act.

11. No Obligation to Maintain or Repair Roadways. Licensor acknowledges that although this License authorizes CBP to maintain and repair roadways on the Property, CBP is under no obligation to do so.

12. Availability of Funds. The obligations of CBP under this License, if any, shall be subject to the availability of appropriated funds. No appropriated funds are obligated by this License.

13. Entire Agreement. This License constitutes the entire agreement between Licensor and CBP with respect to the maintenance and repair activities set forth above. This License supersedes any prior understanding or representation of any kind preceding its effective date.

[Signature Page to Follow]

IN WITNESS WHEREOF, Licensors and an authorized representative of CBP have caused this License to be executed.

For Licensors:

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

on _____
Date

1-13-16

For U.S. Customs and Border Protection:

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

on _____

Date

25 JAN 2016

Director, Real Estate and Environmental Services Division
Border Patrol Facilities and Tactical Infrastructure
Program Management Office
U.S. Customs and Border Protection