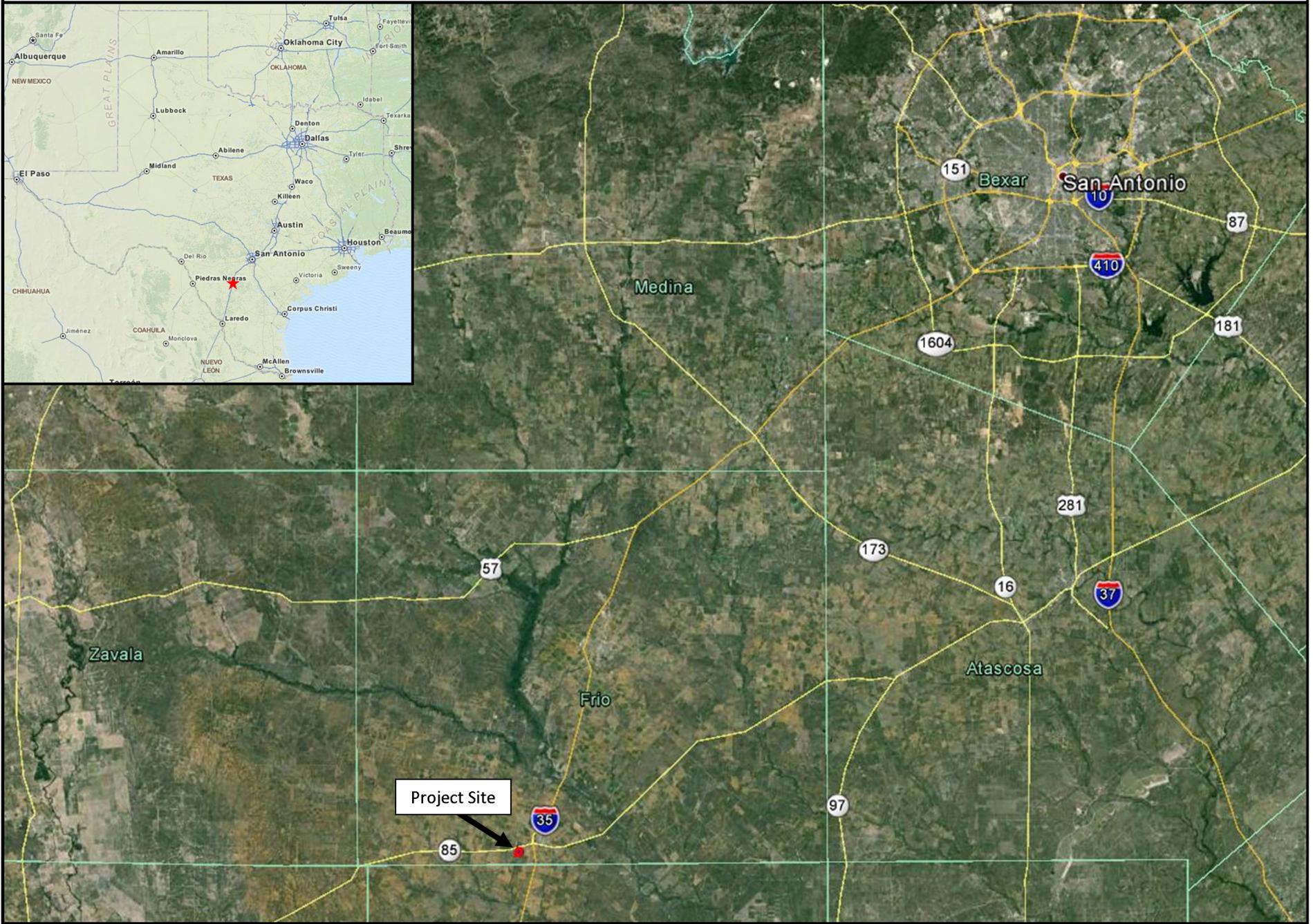


Appendix A—Proposed Action Figures

Figure 1-1 Proposed Action Vicinity Map



 Approximate Site Boundary and Existing Fence Line



Source: "Dilley." 28°39'25.17"N and 99°12'2.21"W, Google Earth. March 24, 2013. Date Accessed: August 22, 2014.

Figure 1-2 Location Map of Proposed Action Area

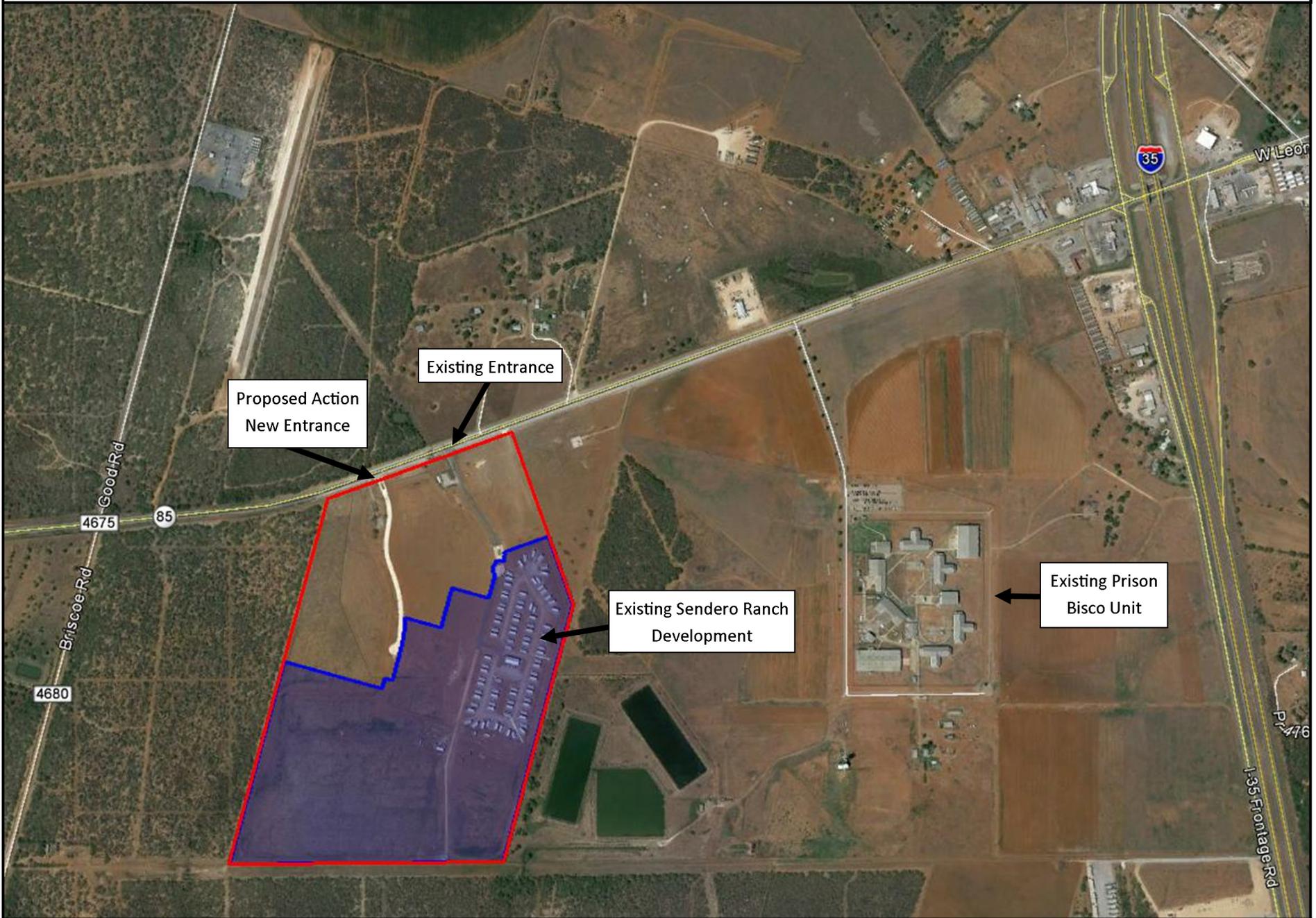


-  Approximate Proposed Construction Limits
-  Approximate Site Boundary and Existing Fence Line

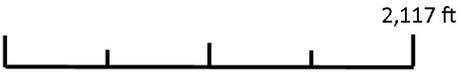


Source: "Dilley." 28°39'25.17"N and 99°12'2.21"W.
Google Earth. March 24, 2013.
Date Accessed: August 22, 2014.

Figure 1-3 Detailed View of the Proposed Action

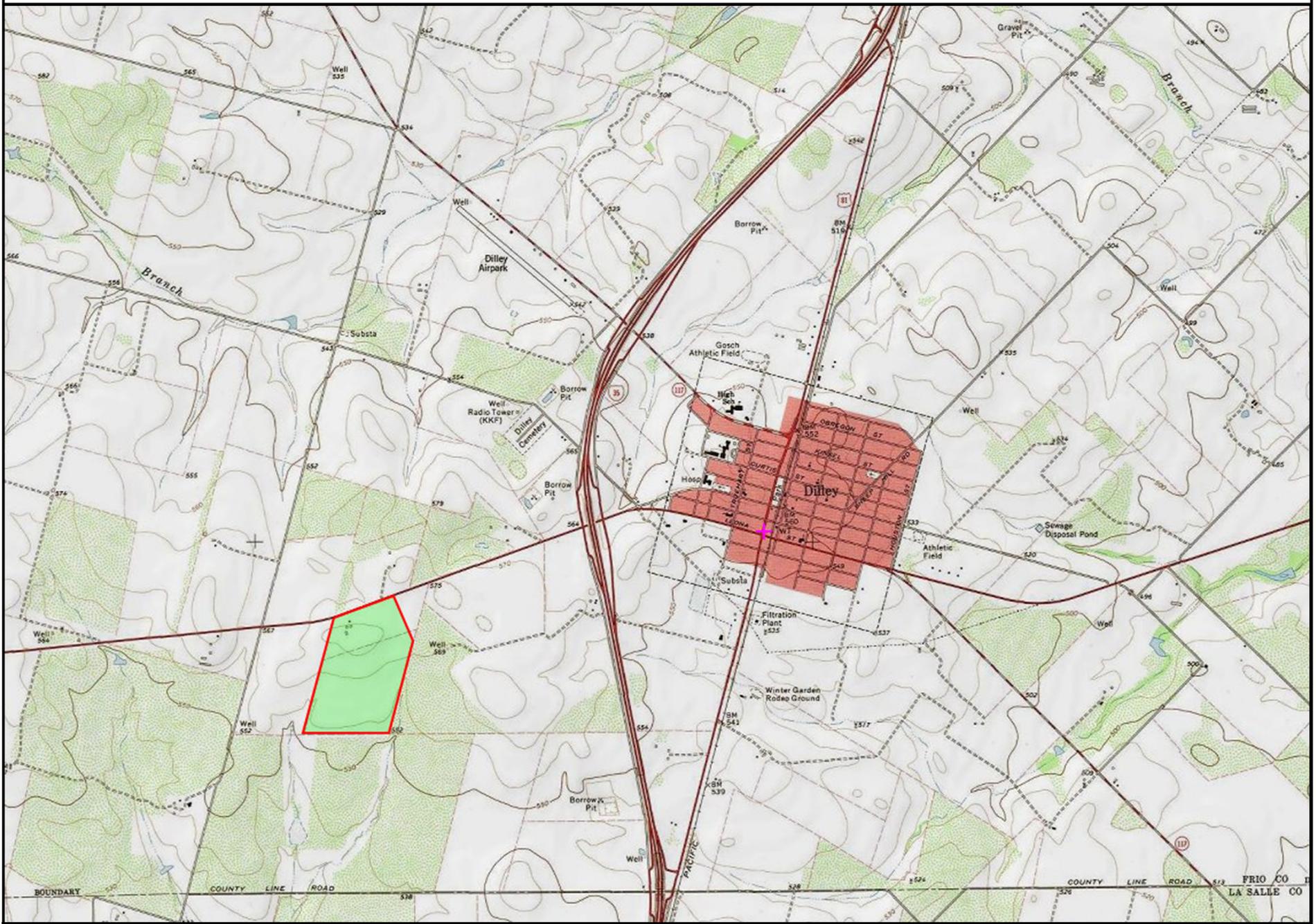


-  Approximate Proposed Construction Limits
-  Approximate Site Boundary and Existing Fence Line



Source: "Dilley." 28°39'25.17"N and 99°12'2.21"W.
Google Earth. March 24, 2013.
Date Accessed: August 22, 2014.

Figure 1-4 Topography Map of Proposed Action Area



 Approximate Site Boundary and Existing Fence Line



Source: "Dilley." 28°39'25.17"N and 99°12'2.21"W.
NEPAssist. National Geographic Society 2013.
Date Accessed: August 22, 2014.

Appendix B—Interagency and Intergovernmental Consultation
Letters

U.S. Department of Homeland Security
500 12th Street S.W.
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

August 22, 2014

**RE: Preparation of an Environmental Assessment (EA) for United States (U.S.)
Immigration and Customs Enforcement in Frio County, Texas**

Drew Kinney
Modeling Unit Leader
USDA-Natural Resources Conservation Service
101 S. Main
Temple, TX 76501-7682
Office: (254) 742-9854
drew.kinney@tx.usda.gov

Dear Mr. Kinney

United States (U.S.) Immigration and Customs Enforcement (ICE) is the principal investigative arm of the Department of Homeland Security (DHS) and the second largest investigative agency in the Federal Government. ICE's primary mission is to promote homeland security and public safety through criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration. ICE determines the legal immigration status of individuals believed to be illegally present in the interior of the United States through the immigration courts and removes those who are determined to either be inadmissible or in violation with U.S. law.

In accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code 4321-4347) this letter is provided to inform you that ICE is proposing an undertaking subject to NEPA and the Farmland Protection Policy Act (FPPA). The proposed undertaking is for the construction and operation of a 2,400 person family detention center on approximately 51.5 acres of land to the south and southwest of an existing community known as Sendero Ranch located at 1925 West Highway 85, West Dilley, Texas 78017. The detention center would include all of the necessary services required for ICE to safely family units in compliance with applicable detention and residential codes and standards while they await legal proceedings and processing.

ICE has completed Sections I and III of the attached AD 1006 Farmland Conservation Impact Rating form for the proposed residential center. ICE requests that the USDA NRCS complete Sections II, IV, and V in order to allow ICE to complete the remainder of the document. ICE has also attached a county map, property vicinity map, site overview map, and a soil map of the property.

ICE respectfully requests that you respond to this request via email (pdf) to me at (elizabeth.l.kennett@ice.dhs.gov) or in writing within forty-five (45) days of its receipt in accordance with 36 C.F.R. § 800.3(c)(4). Please direct any questions or informational requests to me at the contact information provided below.

Sincerely,



Elizabeth L. Kennett
Environmental Program Manager
DHS U.S. Immigration and Customs Enforcement
500 12th Street SW, Stop 5704
Washington, DC 20536
Office: (202) 732-6649
elizabeth.l.kennett@ice.dhs.gov

Enclosed: **Attachment 1** – AD 1006 Farmland Conservation Impact Rating Form
 Figure 1 – Frio County Map
 Figure 2 – Vicinity Map
 Figure 3 – Site Overview
 Figure 4 – Soil Map

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U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)	Date Of Land Evaluation Request 8/13/14
---	--

Name Of Project South Texas Family Residential Center	Federal Agency Involved U.S. Immigration and Customs Enforcement
--	---

Proposed Land Use Family Residential Center	County And State Frio County, Texas
--	--

PART II (To be completed by NRCS)	Date Request Received By NRCS
--	-------------------------------

Does the site contain prime, unique, statewide or local important farmland? <i>(If no, the FPPA does not apply – do not complete additional parts of this form).</i>		Yes <input type="checkbox"/>	No <input type="checkbox"/>	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %			Amount Of Farmland As Defined in FPPA Acres: %	
Name Of Land Evaluation System Used	Name Of Local Site Assessment System	Date Land Evaluation Returned By NRCS			

PART III (To be completed by Federal Agency)	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	51.5			
B. Total Acres To Be Converted Indirectly				
C. Total Acres In Site	51.5	0.0	0.0	0.0

PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value				

PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)	0	0	0	0
---	---	---	---	---

PART VI (To be completed by Federal Agency) Site Assessment Criteria <i>(These criteria are explained in 7 CFR 658.5(b))</i>	Maximum Points				
1. Area In Nonurban Use					
2. Perimeter In Nonurban Use					
3. Percent Of Site Being Farmed					
4. Protection Provided By State And Local Government					
5. Distance From Urban Builtup Area					
6. Distance To Urban Support Services					
7. Size Of Present Farm Unit Compared To Average					
8. Creation Of Nonfarmable Farmland					
9. Availability Of Farm Support Services					
10. On-Farm Investments					
11. Effects Of Conversion On Farm Support Services					
12. Compatibility With Existing Agricultural Use					
TOTAL SITE ASSESSMENT POINTS	160	0	0	0	0

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland <i>(From Part V)</i>	100	0	0	0	0
Total Site Assessment <i>(From Part VI above or a local site assessment)</i>	160	0	0	0	0
TOTAL POINTS (Total of above 2 lines)	260	0	0	0	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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Reason For Selection:

Figure 1: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Frio County Map

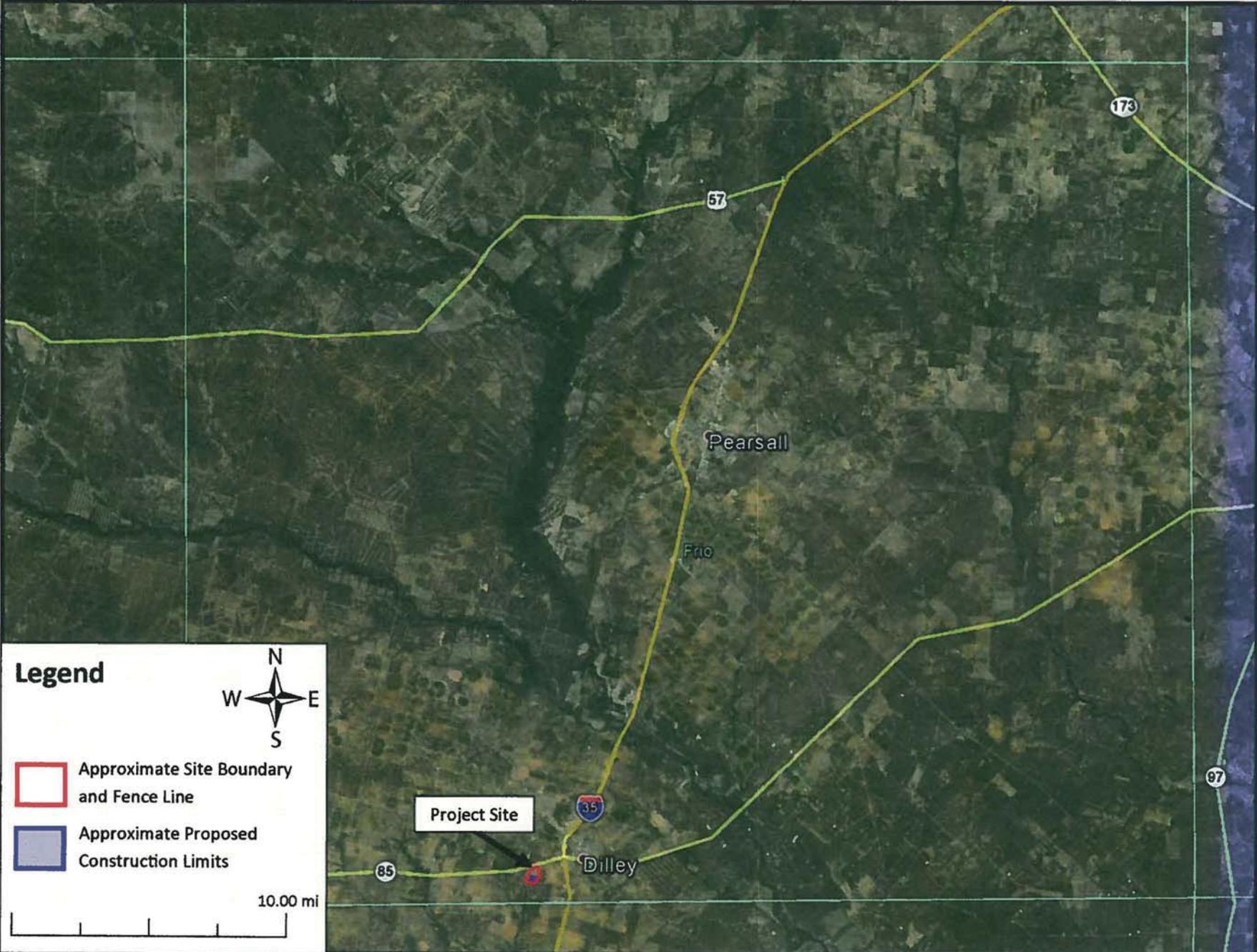


Figure 2: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Vicinity Map

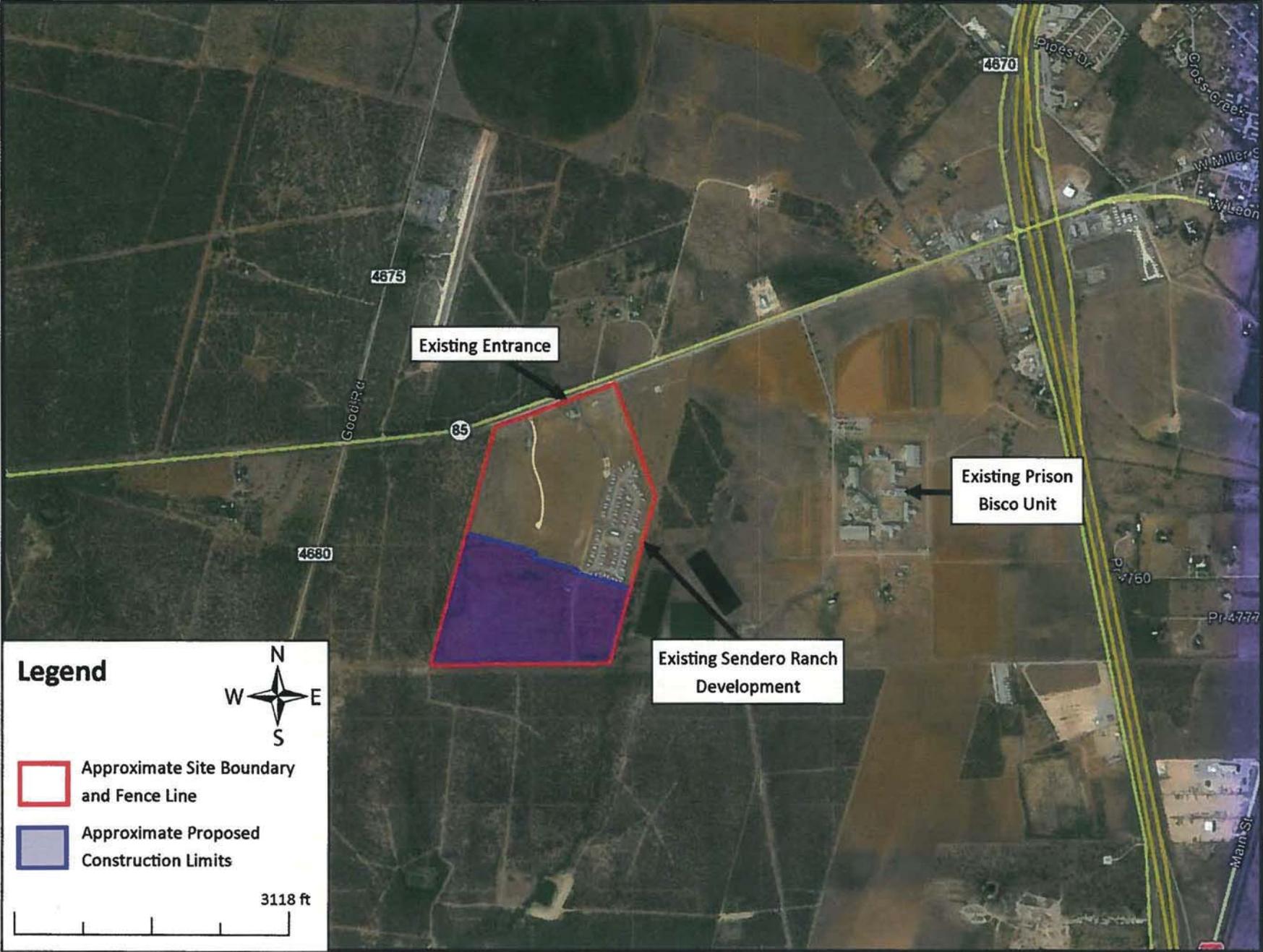
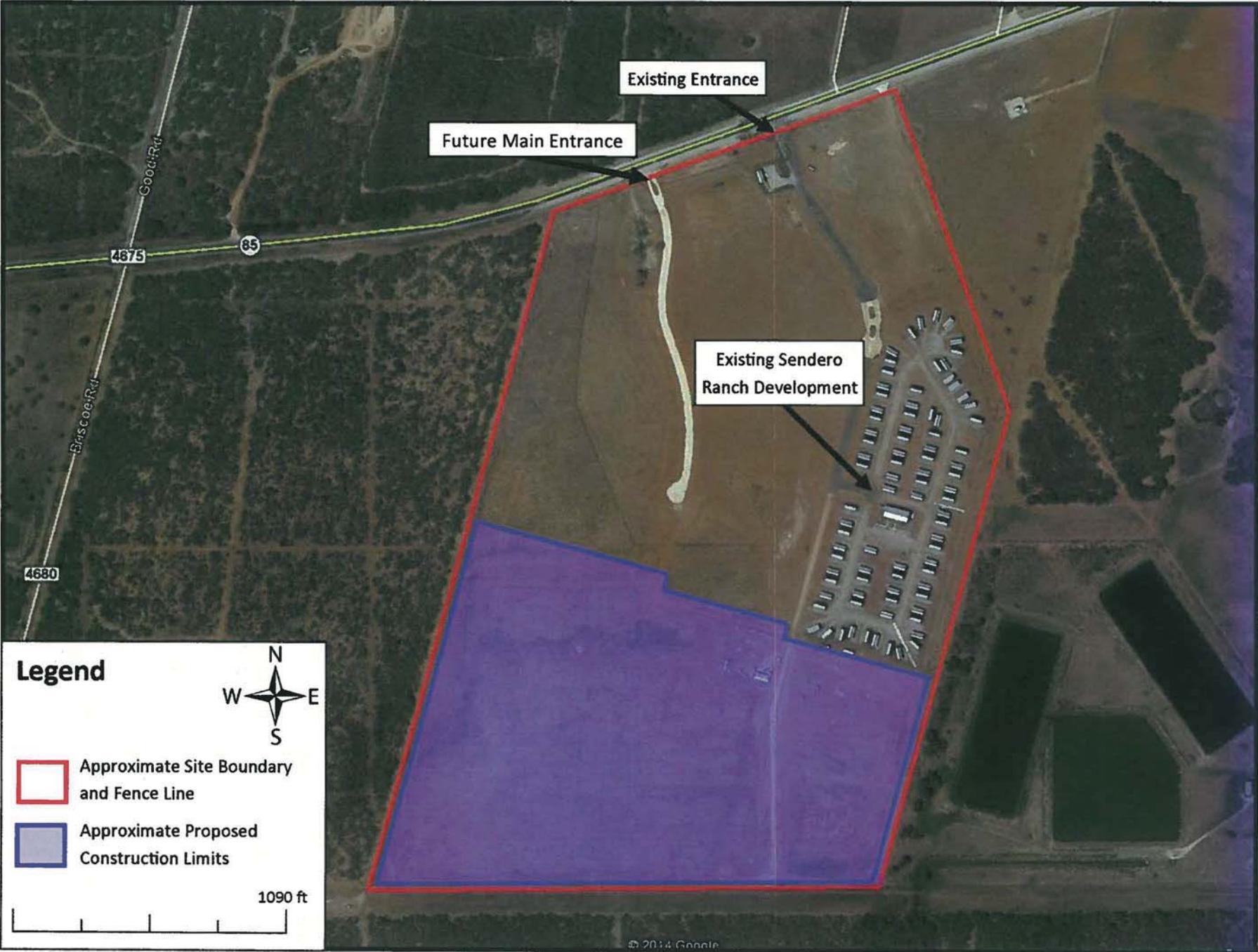
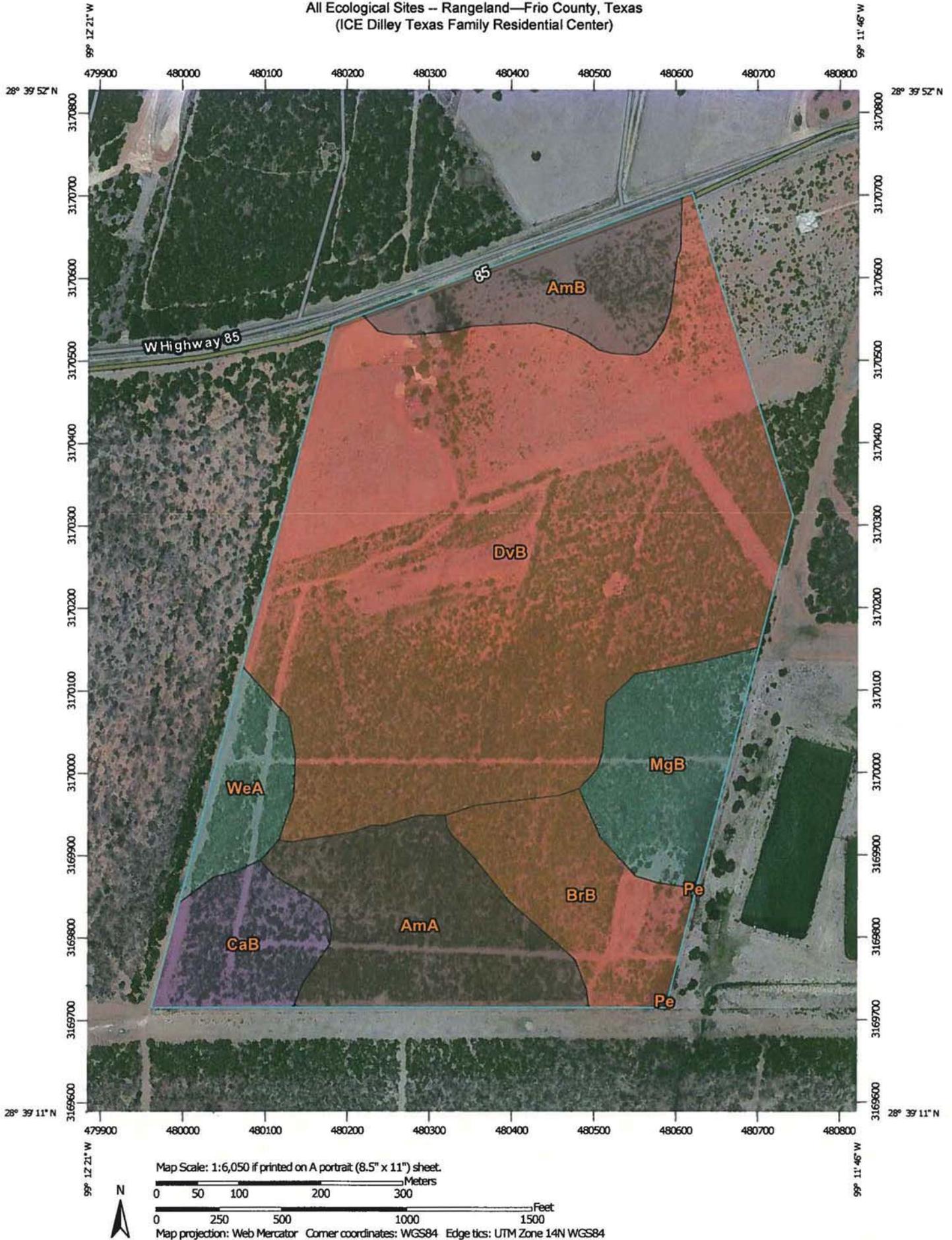


Figure 3: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Overview

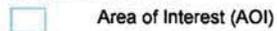


All Ecological Sites -- Rangeland—Frio County, Texas
(ICE Dilley Texas Family Residential Center)



MAP LEGEND

Area of Interest (AOI)



Area of Interest (AOI)

Soils

Soil Rating Polygons



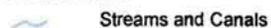
Soil Rating Lines



Soil Rating Points



Water Features

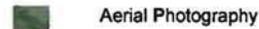


Streams and Canals

Transportation



Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Frio County, Texas
Survey Area Data: Version 11, Dec 18, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 24, 2011—May 25, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

All Ecological Sites — Rangeland

Frio County, Texas					
Map unit symbol	Map unit name	Component name (percent)	Ecological site	Acres in AOI	Percent of AOI
AmA	Amphion sandy clay loam, 0 to 1 percent slopes	Amphion (85%)	R083AY629TX — Clay Loam 25-35" PZ	14.8	11.1%
		Unnamed, minor components (14%)			
		Tiicano (1%)			
AmB	Amphion sandy clay loam, 1 to 3 percent slopes	Amphion (85%)	R083AY629TX — Clay Loam 25-35" PZ	8.9	6.6%
		Unnamed, minor components (14%)			
		Tiicano (1%)			
BrB	Brystal very fine sandy loam, 1 to 3 percent slopes	Brystal (85%)	R083AY407TX — Sandy Loam 25-35" PZ	10.3	7.7%
		Unnamed, minor components (14%)			
		Tiicano (1%)			
CaB	Caid very fine sandy loam, 1 to 3 percent slopes	Caid (85%)	R083AY389TX — GRAY SANDY LOAM 25-35" PZ	6.9	5.2%
		Unnamed, minor components (14%)			
		Tiicano (1%)			
DvB	Duval very fine sandy loam, 1 to 3 percent slopes	Duval (85%)	R083AY407TX — Sandy Loam 25-35" PZ	78.1	58.3%
		Unnamed, minor components (14%)			
		Tiicano (1%)			
MgB	Miguel very fine sandy loam, 1 to 3 percent slopes	Miguel (85%)	R083AY412TX — Tight Sandy Loam 21-35" PZ	9.8	7.3%
		Unnamed, minor components (14%)			
		Tiicano (1%)			

Frio County, Texas					
Map unit symbol	Map unit name	Component name (percent)	Ecological site	Acres in AOI	Percent of AOI
Pe	Poteet very fine sandy loam, occasionally flooded	Poteet (85%)	R083AY573TX — Loamy Bottomland 25-35" PZ	0.0	0.0%
		Unnamed, minor components (14%)			
		Tiicano (1%)			
WeA	Webb very fine sandy loam, 0 to 1 percent slopes	Webb (85%)	R083AY412TX — Tight Sandy Loam 21-35" PZ	5.1	3.8%
		Unnamed, minor components (14%)			
		Tiicano (1%)			
Totals for Area of Interest				133.9	100.0%

U.S. Department of Homeland Security
500 12th Street S.W.
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

August 22, 2014

RE: Preparation of a Supplemental Environmental Assessment (SEA) for United States (U.S.) Immigration and Customs Enforcement (ICE) in Frio County, Dilley, Texas

Mark Wolfe
State Historic Preservation Officer
Texas Historical Commission
108 W. 16th Street
Austin, TX 78701
(512) 463-6100

Dear Mr. Wolfe,

United States (U.S.) Immigration and Customs Enforcement (ICE) is the principal investigative arm of the Department of Homeland Security (DHS) and the second largest investigative agency in the Federal Government. ICE's primary mission is to promote homeland security and public safety through criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration. ICE determines the legal immigration status of individuals believed to be illegally present in the interior of the United States through the immigration courts and removes those who are determined to either be inadmissible or in violation with U.S. law. The Justice Department's Executive Office for Immigration Review conducts the immigration proceedings for both unaccompanied alien children and family units, in accordance with the requirements of Section 240 of the Immigration and Nationality Act. Unaccompanied alien children are in the custody of a sponsor until disposition of their cases, and family units stay together in Family Residential Centers until disposition of their cases. The full range of facility, services, and case management requirements for the ICE mission of enforcement and removal includes, but is not limited to, the following: providing office space, bed space, courtrooms, space for services such as medical exams, recreation, and religious services, attorney-client meetings, processing space, and transportation.

The June 2, 2014 Presidential Memorandum "Response to the Influx of Unaccompanied Alien Children Across the Southwest Border" described the influx as an "urgent humanitarian situation requiring a unified and coordinated Federal response." The unprecedented increase in the number of apprehended persons has the potential to fill or exceed the capacity of the DHS supporting infrastructure (real property for processing and housing apprehended persons, services including medical care, transportation, utilities, meals, hygiene, recreation, etc.) currently available. Therefore, action is being considered at the DHS Headquarters level to

provide increased and expedited allocation of Departmental resources in a number of areas, including the construction of facilities for ICE to provide safe and adequate housing for families.

In accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code 4321-4347), this letter is provided to inform you that ICE is proposing an undertaking subject to review under Section 106 of the National Historic Preservation Act of 1966. ICE is preparing a Supplemental Environmental Assessment (SEA) tiered from a DHS Programmatic Environmental Assessment (PEA). The proposed undertaking is for the construction and operation of an approximate 2,400 person family residential center on approximately 51.5 acres of land to the south and southwest of an existing community known as Sendero Ranch located at 1925 West Highway 85, West Dilley, Texas 78017. The residential center would include all of the necessary services required for ICE to safely house the increased influx of family units in compliance with applicable detention and residential codes and standards while they await legal proceedings and processing.

The proposed undertaking would consist of mostly modular and sprung buildings. There will be very little digging associated with construction activities, however, if any artifacts of historical significance are found we will immediately stop construction and notify the THC.

Site Considerations and Analysis:

Land use at the proposed project is typical south Texas brushland and rangeland/pastureland (mesquite trees, prickly-pear cactus, etc.). The proposed project would be located adjacent to the existing Sendero Ranch development on previously disturbed lands.

ICE reviewed the National Park Service's National Register of Historic Places (NRHP) database Google Earth mapping layer¹ to examine the proposed undertaking's impact on listed or eligible historic properties within the surrounding area. Additionally, resources from your office (Texas Historical Commission at <http://atlas.thc.state.tx.us>) were referenced to examine the undertaking's potential impact on state listed or eligible historic properties and cultural resources within the surrounding area.

- There are no NRHP-listed properties within a 15-mile radius of the proposed site in Dilley, TX.
- ICE is unaware of any historic properties eligible for inclusion on the NRHP within the surrounding area of the undertaking.
- There is one (1) Texas Historic Site located 0.9 miles NE of the proposed project location, the Dilley Cemetery. Viewshed analyses and street view photos from the cemetery indicate that the line-of-site from the entrance of the cemetery to the proposed site is obscured by trees and distance (**Figure 4**). As such, the proposed undertaking will not adversely affect historic properties.

Conclusion:

¹ National Register of Historic Places (NRHP) site locations are based on the Google Earth mapping layer provided through the National Park Service. NATIONAL PARK SERVICE, U.S. DEPT OF INTERIOR, National Register of Historic Places, <http://nrhp.focus.nps.gov/natreg/docs/Download.html>

Based upon our review of publically available information and our viewshed analysis conducted for the proposed undertaking, ICE finds that the Dilley, TX undertaking will not affect historic properties under 36 C.F.R. § 800.4(d)(1).

ICE respectfully requests that you respond to this request for review of our finding via email (pdf) to me at (elizabeth.l.kennett@ice.dhs.gov) or in writing within thirty (30) days of its receipt in accordance with 36 C.F.R. § 800.3(c)(4). Please direct any questions or informational requests to me at the contact information provided below.

Sincerely,


Elizabeth L. Kennett
Environmental Program Manager
DHS U.S. Immigration and Customs Enforcement
500 12th Street SW, Stop 5704
Washington, DC 20536
Office: (202) 732-6649
elizabeth.l.kennett@ice.dhs.gov

Enclosed: **Attachment 1** - Request for SHPO Consultation Form
 Figure 1 – Vicinity Map
 Figure 2 – Site Overview
 Figure 3 – Site Plan Overlay Map
 Figure 4 – Viewshed Detail: Dilley Cemetery

TEXAS HISTORICAL COMMISSION

REQUEST FOR SHPO CONSULTATION:

Section 106 of the National Historic Preservation Act and/or the Antiquities Code of Texas

Please see instructions for completing this form and additional information on Section 106 and Antiquities Code consultation on the Texas Historical Commission website at <http://www.thc.state.tx.us/crm/crmsend.shtml>.

- This is a new submission.
- This is additional information relating to THC tracking number(s): _____

Project Information		
PROJECT NAME Supplement Environmental Assessment, Immigration and Customs Enforcement (ICE), Dilley, TX Family Residential Center		
PROJECT ADDRESS 1925 West Highway 85	PROJECT CITY Dilley	PROJECT ZIP CODE(S) 78017
PROJECT COUNTY OR COUNTIES Frio County		
PROJECT TYPE (Check all that apply)		
<input type="checkbox"/> Road/Highway Construction or Improvement	<input type="checkbox"/> Repair, Rehabilitation, or Renovation of Structure(s)	
<input checked="" type="checkbox"/> Site Excavation	<input type="checkbox"/> Addition to Existing Structure(s)	
<input checked="" type="checkbox"/> Utilities and Infrastructure	<input type="checkbox"/> Demolition or Relocation of Existing Structure(s)	
<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> None of these	
BRIEF PROJECT DESCRIPTION: Please explain the project in one or two sentences. More details should be included as an attachment to this form. ICE is preparing a Supplemental Environmental Assessment tiered from a Department of Homeland Security Programmatic Environmental Assessment for the construction, operation, and maintenance of a family residential center for mothers of household and their children. The proposed building location is approximately 51.50 acres and is located south and west of an existing community of buildings identified as Sendero Ranch workforce housing community.		

Project Contact Information			
PROJECT CONTACT NAME Elizabeth L. Kennett	TITLE Environmental Manager	ORGANIZATION ICE	
ADDRESS 500 12th Street SW, Stop 8058	CITY Washington	STATE D.C.	ZIP CODE 20536
PHONE 202-732-6649	EMAIL Elizabeth.L.Kennett@ice.dhs.gov		

Federal Involvement (Section 106 of the National Historic Preservation Act)	
Does this project involve approval, funding, permit, or license from a federal agency?	
<input checked="" type="checkbox"/> Yes (Please complete this section)	<input type="checkbox"/> No (Skip to next section)
FEDERAL AGENCY US Immigration and Customs Enforcement	FEDERAL PROGRAM, FUNDING, OR PERMIT TYPE National Environmental Policy Act of 1969 (NEPA) Document
CONTACT PERSON Elizabeth L. Kennett	PHONE 202-732-6649
ADDRESS 500 12th Street SW, Stop 8058, Washington D.C. 20536	EMAIL Elizabeth.L.Kennett@ice.dhs.gov

State Involvement (Antiquities Code of Texas)	
Does this project occur on land or property owned by the State of Texas or a political subdivision of the state?	
<input type="checkbox"/> Yes (Please complete this section)	<input checked="" type="checkbox"/> No (Skip to next section)
CURRENT OR FUTURE OWNER OF THE PUBLIC LAND	
CONTACT PERSON	PHONE
ADDRESS	EMAIL

Identification of Historic Properties: Archeology

Does this project involve ground-disturbing activity?
 Yes (Please complete this section) No (Skip to next section)

Describe the nature of the ground-disturbing activity, including but not limited to depth, width, and length.
 The proposed family residential center will be built in several phases on the 51.5 acre parcel that was previously cleared and graded. Initial phases of the construction will provide housing for 960-1,148 persons with a completion maximum capacity of 4,000 persons and 400-800 staff. Existing infrastructure such as sewer, water, and power will be expanded to accommodate the sites population.

Describe the previous and current land use, conditions, and disturbances.
 The 51.5 acre parcel is currently vacant, cleared and actively maintained. The site has been previously cleared and graded for potential housing/commercial construction. Prior to clearing and grading the site was former rangeland/pastureland, based on historical aerial photos and surrounding land parcels. A Phase I, completed in January 2012, noted that there was no evidence of any historical structures on the site.

Identification of Historic Properties: Structures

Does the project area or area of potential effects include buildings, structures, or designed landscape features (such as parks or cemeteries) that are 45 years of age or older?
 Yes (Please complete this section) No (Skip to next section)

Is the project area or area of potential effects within or adjacent to a property or district that is listed in or eligible for listing in the National Register of Historic Places?
 Yes, name of property or district: No Unknown

In the space below or as an attachment, describe each building, structure, or landscape feature within the project area or area of potential effect that is 45 years of age or older.

ADDRESS	DATE OF CONSTRUCTION	SOURCE FOR CONSTRUCTION DATE
Dilley Cemetery - Dilley, Frio County, Texas	Unknown	N/A
ADDRESS	DATE OF CONSTRUCTION	SOURCE FOR CONSTRUCTION DATE
ADDRESS	DATE OF CONSTRUCTION	SOURCE FOR CONSTRUCTION DATE

Attachments

Please see [detailed instructions regarding attachments](#).

Include the following with each submission:

- Project Work Description
- Maps
- Identification of Historic Properties
- Photographs

For Section 106 reviews only, also include:

- Consulting Parties/Public Notification
- Area of Potential Effects
- Determination of Eligibility
- Determination of Effect

Submit completed form and attachments to the address below. Faxes and email are not acceptable.

Mark Wolfe
 State Historic Preservation Officer
 Texas Historical Commission
 P.O. Box 12276, Austin, TX 78711-2276 (mail service)
 108 W. 16th Street, Austin, TX 78701 (courier service)

For SHPO Use Only

Figure 1: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Vicinity Map

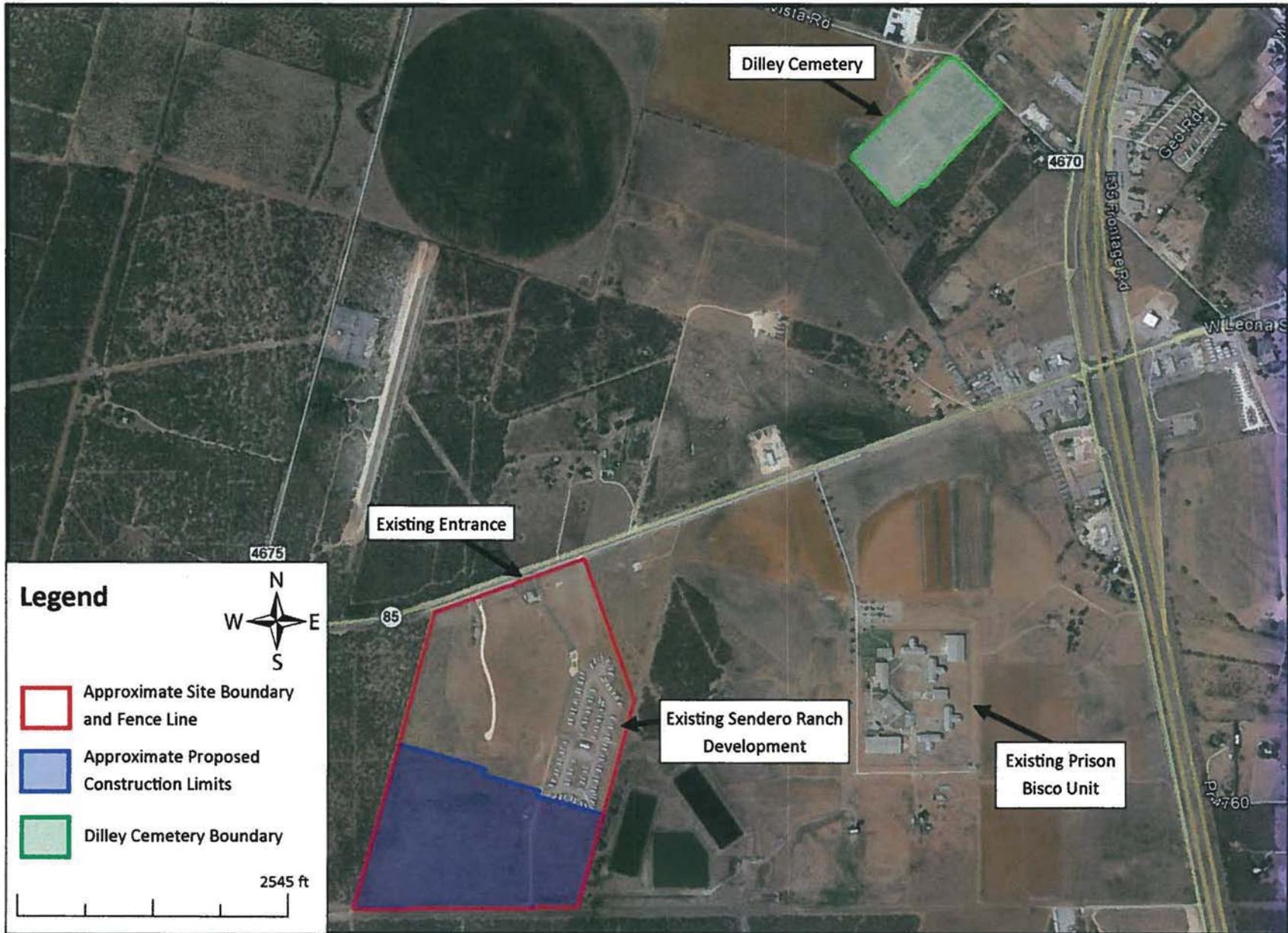


Figure 2: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Overview

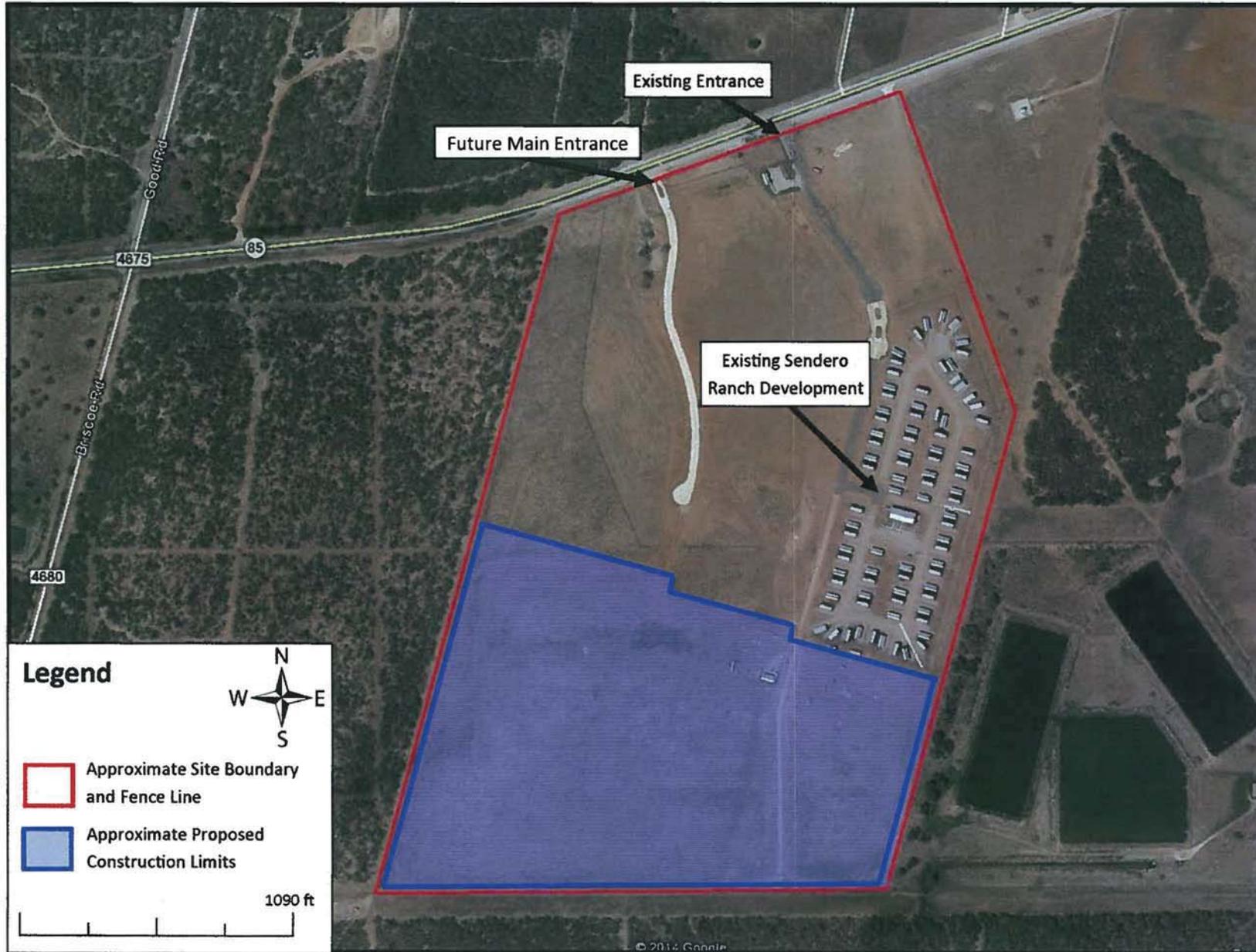


Figure 3: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Plan Overlay Map

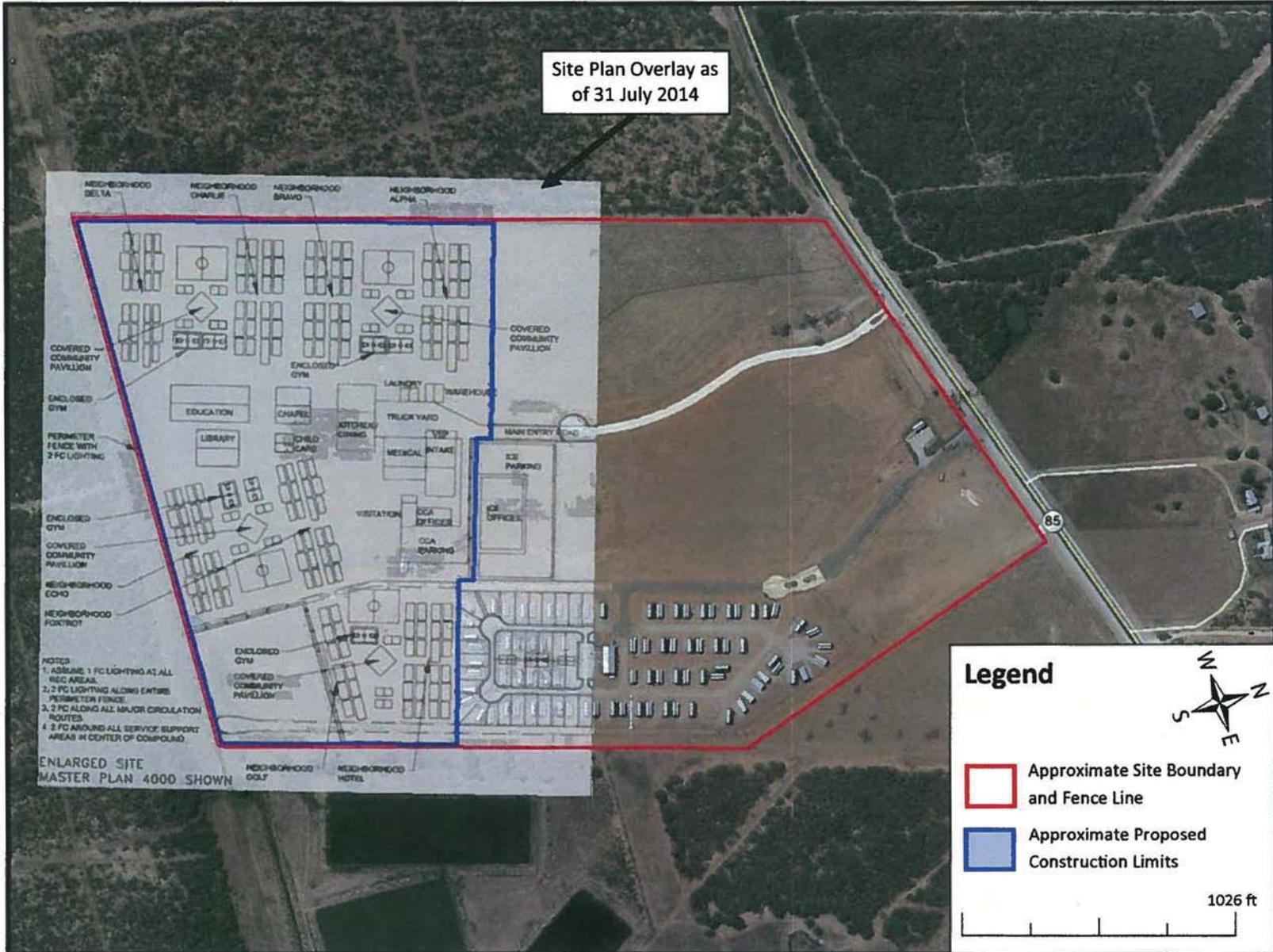


Figure 4: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Viewshed Detail: Dilley Cemetery



Dilley Cemetery is off Loma Vista Road and roughly 0.20 miles NW of I-35 Frontage Road. The Cemetery is approximately 0.95 miles NE of the existing entrance to Sendero Ranch.

View toward existing Sendero Ranch and the Proposed Site from the NE corner of the Dilley Cemetery on Loma Vista Road. Due to the distance and tree obstructions the site is not visible.

Kennett, Elizabeth L

From: Orms, Mary <mary_orms@fws.gov>
Sent: Wednesday, August 27, 2014 6:30 PM
To: Kennett, Elizabeth L
Subject: Re: Request for Expedited Review for ICE Project at Dilley, TX

Consultation No. 02ETCC00-2014-I-0239

Ms. Kennett:

Thank you for your email with the proposed facility located south and southwest of an existing community known as Sendero Ranch located at 1925 West Highway 85, West Dilley, Frio County, Texas 78017. The proposed construction and operation of the a 2,400 person residential center site is approximately 51.5 acres of previously disturbed land and will include all of the necessary services required for Immigration and Customs Enforcement (ICE) to safely house the increased influx of family units in compliance with applicable detention and residential codes and standards while they await legal proceedings and processing.

In reviewing the U.S. Fish and Wildlife Service (Service) and Texas Parks and Wildlife Department's list of threatened and endangered species occurring in Frio County, only the ocelot (*Leopardus pardalis*) and Gulf Coast jaguarundi (*Herpailurus yagouaroundi cacomitli*) were listed. ICE will implement best management practices during construction activities to minimize any potential impacts. The facility will consist of modular or spring loaded tents, be fenced, lighting will be downshielded and directed away from the surrounding areas, and a roust pest management plan will be implemented for vector control and decrease impacts to wildlife from family units and vice versa. Existing roads off of Highway 85 will be used for entrances and exits and contractors and employees will be educated on the cats potential presence, necessary reduced speeds, and measures to reduce potential impacts.

ICE has determined because the site is cleared of vegetation, except for a few re-sprouts, measures will be implemented there will be no adverse effects to the ocelot and jaguarundi and therefore, does not require further consultation under section 7 of the Endangered Species Act.

The Service does not provide concurrences with "no effect" determinations, however, believes ICE has complied with section 7(1)(a) the Endangered Species . Should project plans change, or if additional information on the distribution of listed or proposed species become available, this determination can be reconsidered.

IF you have any questions please contact me at the numbers listed below.

On Fri, Aug 22, 2014 at 10:38 AM, Kennett, Elizabeth L <Elizabeth.L.Kennett@ice.dhs.gov> wrote:

Good morning Mary:

Attached please find notification of ICE's Proposed Action near Dilley, TX, with request for expedited review. Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully,

Elizabeth

Elizabeth Kennett

Environmental Program Manager

Immigration and Customs Enforcement

500 12th Street SW, Washington, DC 20536

W 202.732.6649 | C 202.306.2998

Elizabeth.L.Kennett@ice.dhs.gov

--

Mary Orms

U.S. Fish and Wildlife Service

c/o Texas A&M University at Corpus Christi

6300 Ocean Drive, Unit 5837

Corpus Christi, TX 78412-5837

Phone: (361) 994-9005 EXT: 246

Fax: (361) 994-8262

U.S. Department of Homeland Security
500 12th Street S.W.
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

August 22, 2014

RE: Preparation of a Supplemental Environmental Assessment (SEA) for United States (U.S.) Immigration and Customs Enforcement (ICE) in Frio County, Dilley, Texas

Mary Orms
Consultation Review Lead
U.S. Fish and Wildlife Service
c/o Texas A&M University at Corpus Christi
Corpus Christi Ecological Services Field Office
6300 Ocean Drive, Unit 5837
Corpus Christi, TX 78412-5837
Phone: (361) 994-9005 EXT: 246
mary_orms@fws.gov

Dear Ms. Orms,

United States (U.S.) Immigration and Customs Enforcement (ICE) is the principal investigative arm of the Department of Homeland Security (DHS) and the second largest investigative agency in the Federal Government. ICE's primary mission is to promote homeland security and public safety through criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration. ICE determines the legal immigration status of individuals believed to be illegally present in the interior of the United States through the immigration courts and removes those who are determined to either be inadmissible or in violation with U.S. law. The Justice Department's Executive Office for Immigration Review conducts the immigration proceedings for both unaccompanied alien children and family units, in accordance with the requirements of Section 240 of the Immigration and Nationality Act. Unaccompanied alien children are in the custody of a sponsor until disposition of their cases, and family units stay together in Family Residential Centers until disposition of their cases. The full range of facility, services, and case management requirements for the ICE mission of enforcement and removal includes, but is not limited to, the following: providing office space, bed space, courtrooms, space for services such as medical exams, recreation, and religious services, attorney-client meetings, processing space, and transportation.

The June 2, 2014 Presidential Memorandum "Response to the Influx of Unaccompanied Alien Children Across the Southwest Border" described the influx as an "urgent humanitarian situation requiring a unified and coordinated Federal response." The unprecedented increase in the number of apprehended persons has the potential to fill or exceed the capacity of the DHS

supporting infrastructure (real property for processing and housing apprehended persons, services including medical care, transportation, utilities, meals, hygiene, recreation, etc.) currently available. Therefore, action is being considered at the DHS Headquarters level to provide increased and expedited allocation of Departmental resources in a number of areas, including the construction of facilities for ICE to provide safe and adequate housing for family units.

In accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code 4321-4347), this letter is provided to inform you that ICE is proposing an undertaking subject to NEPA and the Endangered Species Act (ESA). ICE is preparing a Supplemental Environmental Assessment (SEA) tiered from a DHS Programmatic Environmental Assessment (PEA). The proposed undertaking is for the construction and operation of a 2,400 person family residential center on approximately 51.5 acres of land to the south and southwest of an existing community known as Sendero Ranch located at 1925 West Highway 85, West Dilley, Texas 78017. The residential center would include all of the necessary services required for ICE to safely house the increased influx of family units in compliance with applicable detention and residential codes and standards while they await legal proceedings and processing.

Site Considerations and Analysis:

Land use at the proposed project location is typical south Texas brushland and rangeland/pastureland that consists of mesquite trees, prickly-pear cactus, and other native and non-native grasses. The proposed project would be located adjacent to the existing Sendero Ranch development on previously disturbed lands which would provide suitable habitat for a number of common species located throughout much of Texas such as snakes, bobcats, coyote, armadillos, skunks, raccoons, foxes, and miscellaneous varieties of rats and mice.

ICE reviewed the United States Fish and Wildlife Service (USFWS) Critical Habitat mapper¹ and associated USFWS database² for Frio County, TX to examine the proposed undertaking's impact on any surrounding critical habitat for listed or endangered species. There is no critical habitat located within or adjacent to the proposed area of disturbance as depicted in **Figure 3**. Additionally, ICE reviewed both the USFWS and Texas Parks and Wildlife (TPW) threatened and endangered species lists for Frio County (copies are included in **Attachments 1 & 2**). There are six species listed on the USFWS database and 22 species listed on the TPW database for Frio County. Best management practices and environmental considerations will be used during construction activities to minimize any potential impacts to list threatened or endangered species. Migratory birds and other wildlife will likely avoid the proposed project area during construction activities and during operations. Fencing and lighting would be included as part of the project (lighting would be downshielded and directed away from the surrounding areas) and a robust pest management plan would be implemented for vector control and to decrease the likelihood of impacts to wildlife from family units and vice versa.

Conclusion:

Based upon our review of publically available information, the existing pre-disturbed nature of the site, and the best management practices that will be employed during construction and

¹ <http://ecos.fws.gov/crithab/flex/crithabMapper.jsp>

² <http://ecos.fws.gov/crithab/>

operation of the proposed facility, **ICE finds that there would be no adverse effects to State or Federally protected threatened or endangered species or habitat. Therefore, the proposed project does not require further consultation under Section 7 of the Endangered Species Act.**

ICE respectfully requests that you provide us with any concerns or issues that you feel should be addressed in this SEA. A copy of the SEA for the proposed action can be made available upon request. ICE would appreciate you providing your agency's review and concurrence of our finding to me via email (pdf) at elizabeth.l.kennett@ice.dhs.gov as soon as possible to expedite this project. Given the urgent humanitarian issues in this situation, time is of the essence. Please direct any questions or informational requests to me at the contact information provided below.

Sincerely,



Elizabeth L. Kennett
Environmental Program Manager
DHS U.S. Immigration and Customs Enforcement
500 12th Street SW, Stop 5704
Washington, DC 20536
Office: (202) 732-6649
elizabeth.l.kennett@ice.dhs.gov

Enclosures: **Attachment 1** – USFWS Trust Resource List
Attachment 2 – Texas Parks and Wildlife Endangered Species Report
Figure 1 – Vicinity Map
Figure 2 – Site Overview
Figure 3 – Critical Habitat Map

Figure 1: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Vicinity Map

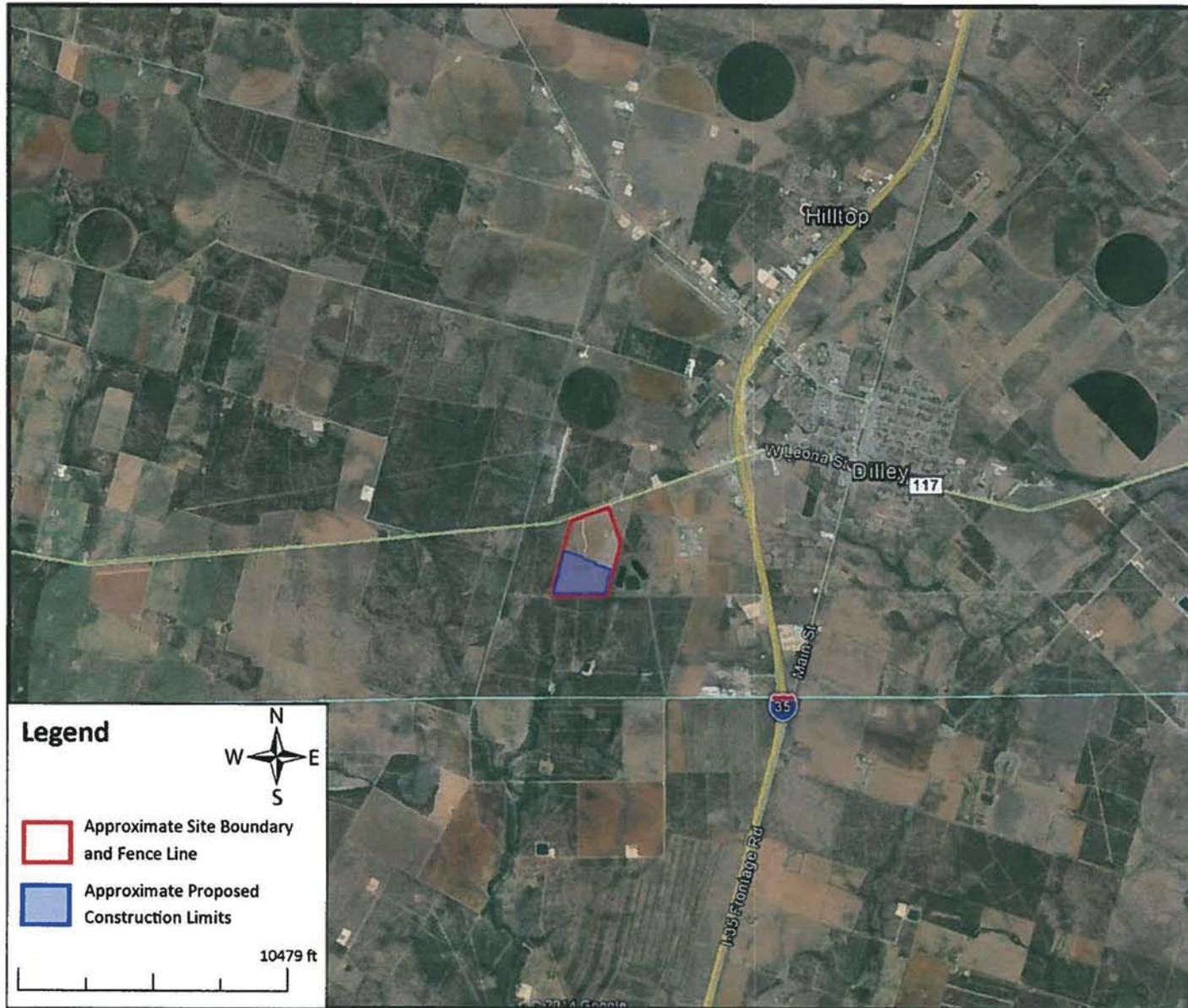


Figure 2: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Overview

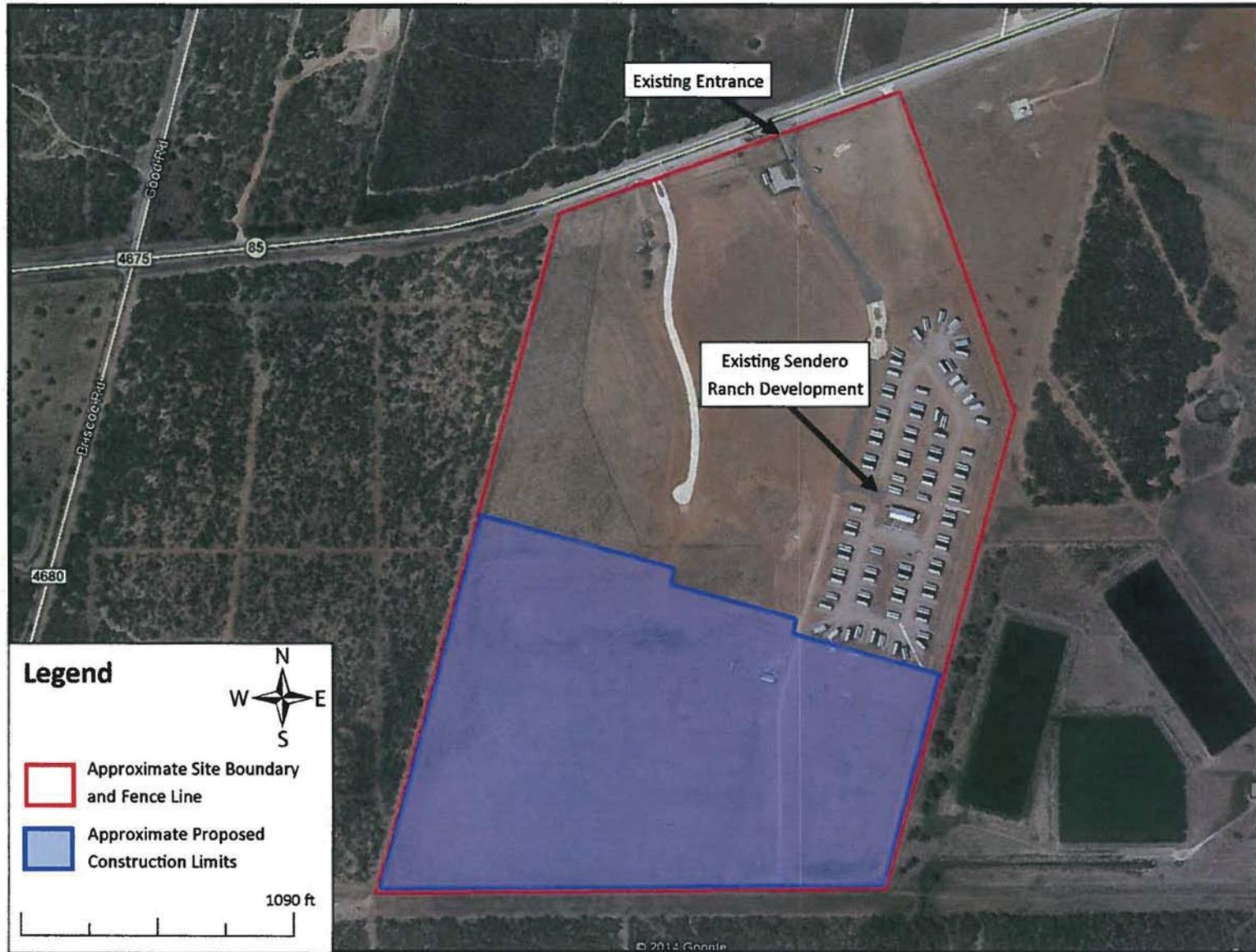


Figure 3: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Critical Habitat Map

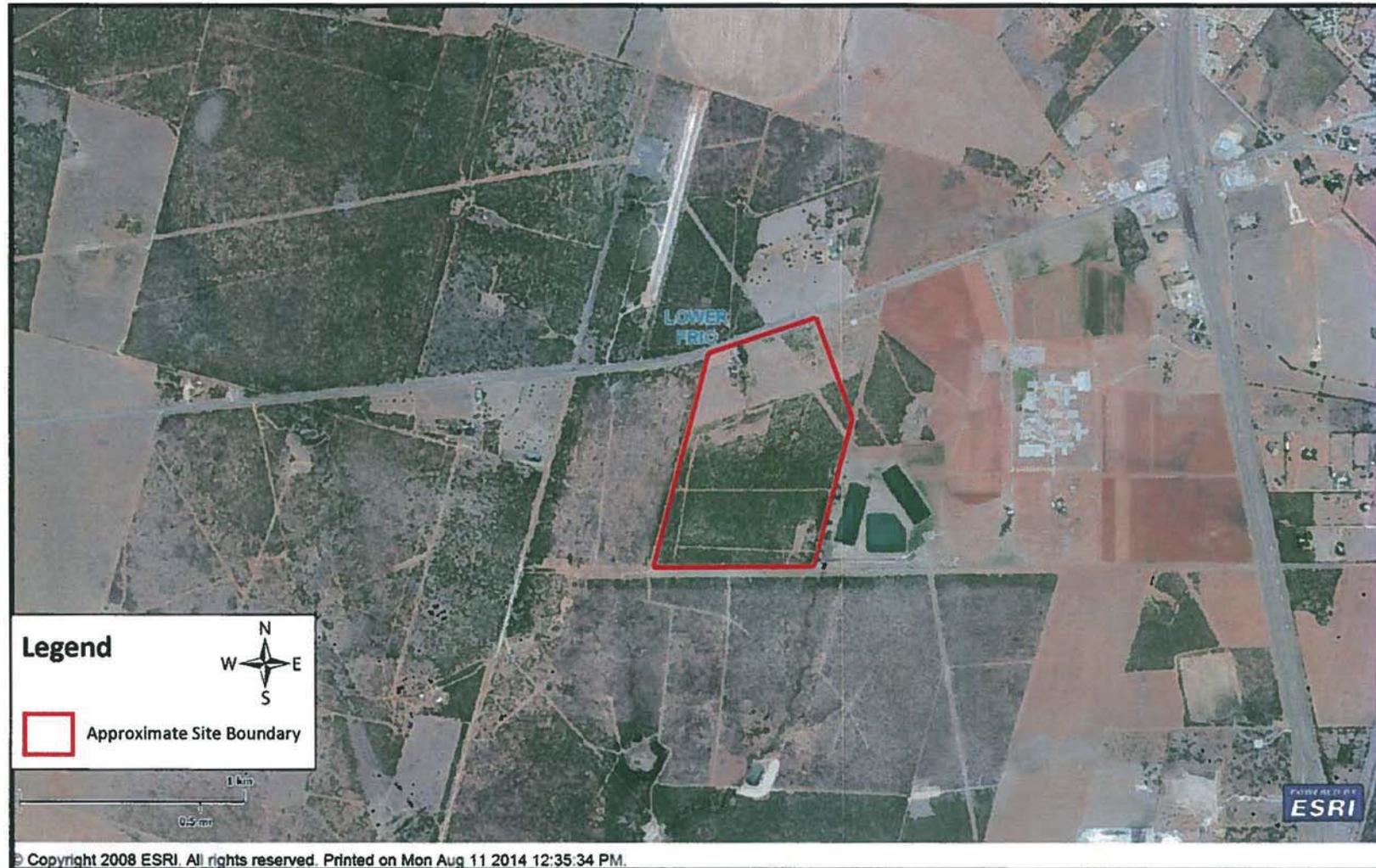


Figure generated from the USFWS Critical Habitat Mapper with all "Live Maps" selected. The site boundary was drawn with the Critical Habitat Mapper "draw" tool. This area is designated as the "Lower Frio" hydrologic area, as shown on the map.

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FRIO COUNTY BIRDS

		Federal Status	State Status
American Peregrine Falcon	<i>Falco peregrinus anatum</i>	DL	T

year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.

Arctic Peregrine Falcon	<i>Falco peregrinus tundrius</i>	DL	
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migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.

Baird's Sparrow	<i>Ammodramus bairdii</i>		
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shortgrass prairie with scattered low bushes and matted vegetation; mostly migratory in western half of State, though winters in Mexico and just across Rio Grande into Texas from Brewster through Hudspeth counties.

Mountain Plover	<i>Charadrius montanus</i>		
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breeding: nests on high plains or shortgrass prairie, on ground in shallow depression; nonbreeding: shortgrass plains and bare, dirt (plowed) fields; primarily insectivorous.

Peregrine Falcon	<i>Falco peregrinus</i>	DL	T
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both subspecies migrate across the state from more northern breeding areas in US and Canada to winter along coast and farther south; subspecies (F. p. anatum) is also a resident breeder in west Texas; the two subspecies' listing statuses differ, F.p. tundrius is no longer listed in Texas; but because the subspecies are not easily distinguishable at a distance, reference is generally made only to the species level; see subspecies for habitat.

Sprague's Pipit	<i>Anthus spragueii</i>	C	
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only in Texas during migration and winter, mid September to early April; short to medium distance, diurnal migrant; strongly tied to native upland prairie, can be locally common in coastal grasslands, uncommon to rare further west; sensitive to patch size and avoids edges.

Western Burrowing Owl	<i>Athene cunicularia hypugaea</i>		
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open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows

MAMMALS

		Federal Status	State Status
Black bear	<i>Ursus americanus</i>	T/SA;NL	T
<p>bottomland hardwoods and large tracts of inaccessible forested areas; due to field characteristics similar to Louisiana Black Bear (LT, T), treat all east Texas black bears as federal and state listed Threatened.</p>			
Cave myotis bat	<i>Myotis velifer</i>		
<p>colonial and cave-dwelling; also roosts in rock crevices, old buildings, carports, under bridges, and even in abandoned Cliff Swallow (<i>Hirundo pyrrhonota</i>) nests; roosts in clusters of up to thousands of individuals; hibernates in limestone caves of Edwards Plateau and gypsum cave of Panhandle during winter; opportunistic insectivore.</p>			
Frio pocket gopher	<i>Geomys texensis bakeri</i>		
<p>associated with nearly level Atco soil, which is well-drained and consists of sandy surface layers with loam extending to as deep as two meters.</p>			
Ghost-faced bat	<i>Mormoops megalophylla</i>		
<p>colonially roosts in caves, crevices, abandoned mines, and buildings; insectivorous; breeds late winter-early spring; single offspring born per year.</p>			
Gray wolf	<i>Canis lupus</i>	LE	E
<p>extirpated; formerly known throughout the western two-thirds of the state in forests, brushlands, or grasslands.</p>			
Ocelot	<i>Leopardus pardalis</i>	LE	E
<p>dense chaparral thickets; mesquite-thorn scrub and live oak mottes; avoids open areas; breeds and raises young June-November.</p>			
Plains spotted skunk	<i>Spilogale putorius interrupta</i>		
<p>catholic; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie.</p>			
Red wolf	<i>Canis rufus</i>	LE	E
<p>extirpated; formerly known throughout eastern half of Texas in brushy and forested areas, as well as coastal prairies.</p>			

REPTILES

	Federal Status	State Status
Reticulate collared lizard <i>Crotaphytus reticulatus</i>		T

requires open brush-grasslands; thorn-scrub vegetation, usually on well-drained rolling terrain of shallow gravel, caliche, or sandy soils; often on scattered flat rocks below escarpments or isolated rock outcrops among scattered clumps of prickly pear and mesquite.

Spot-tailed earless lizard <i>Holbrookia lacerata</i>		
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central and southern Texas and adjacent Mexico; moderately open prairie-brushland; fairly flat areas free of vegetation or other obstructions, including disturbed areas; eats small invertebrates; eggs laid underground.

Texas horned lizard <i>Phrynosoma cornutum</i>		T
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open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September.

Texas indigo snake <i>Drymarchon melanurus erebennus</i>		T
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Texas south of the Guadalupe River and Balcones Escarpment; thornbush-chaparral woodlands of south Texas, in particular dense riparian corridors; can do well in suburban and irrigated croplands if not molested or indirectly poisoned; requires moist microhabitats, such as rodent burrows, for shelter.

Texas tortoise <i>Gopherus berlandieri</i>		T
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open brush with a grass understory is preferred; open grass and bare ground are avoided; when inactive occupies shallow depressions at base of bush or cactus, sometimes in underground burrows or under objects; longevity greater than 50 years; active March-November; breeds April-November.

PLANTS

	Federal Status	State Status
Elmendorf's onion <i>Allium elmendorffii</i>		

Texas endemic; grassland openings in oak woodlands on deep, loose, well-drained sands; in Coastal Bend, on Pleistocene barrier island ridges and Holocene Sand Sheet that support live oak woodlands; to the north it occurs in post oak-black hickory-live oak woodlands over Queen City and similar Eocene formations; one anomalous specimen found on Llano Uplift in wet pockets of granitic loam; flowering March-April, May.

Sandhill woollywhite <i>Hymenopappus carrizoanus</i>		
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Texas endemic; disturbed or open areas in grasslands and post oak woodlands on deep sands derived from the Carrizo Sand and similar Eocene formations; flowering April-June.



U.S. Fish and Wildlife Service

Trust Resources List

This resource list is to be used for planning purposes only — it is not an official species list.

Endangered Species Act species list information for your project is available online and listed below for the following FWS Field Offices:

Corpus Christi Ecological Services Field Office
U.S. FISH AND WILDLIFE SERVICES, C/O TAMU-CC
6300 OCEAN DRIVE, #5837
CORPUS CHRISTI, TX 78412
(361) 994-9005
<http://www.fws.gov/southwest/es/CorpusChristiTexas/>
http://www.fws.gov/southwest/es/ES_Lists_Main2.html

Project Name:

Dilley, TX



U.S. Fish and Wildlife Service

Trust Resources List

Project Location Map:



Project Counties:

Frio, TX

Geographic coordinates (Open Geospatial Consortium Well-Known Text, NAD83):

MULTIPOLYGON (((-99.2050907 28.6542656, -99.202857 28.6617991, -99.1978359 28.6633806, -99.1970634 28.6590877, -99.1985225 28.6543051, -99.2050907 28.6542656)))

Project Type:

Development



Trust Resources List

Endangered Species Act Species List (USFWS Endangered Species Program).

There are a total of 6 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Note that 3 of these species should be considered only under certain conditions. See the second table below for a list of these species and the conditions under which effects should be considered. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section below for critical habitat that lies within your project area. Please contact the designated FWS office if you have questions.

Species that should be considered in an effects analysis for your project:

Birds	Status		Has Critical Habitat	Contact
Sprague's Pipit (<i>Anthus spragueii</i>)	Candidate	species info		Corpus Christi Ecological Services Field Office
Mammals				
Gulf Coast jaguarundi (<i>Herpailurus (=felis) yagouaroundi cacomitli</i>) Population: U.S.A.(TX),Mexico	Endangered	species info		Corpus Christi Ecological Services Field Office
ocelot (<i>Leopardus (=felis) pardalis</i>) Population: U.S.A.(AZ, TX) to Central and South America	Endangered	species info		Corpus Christi Ecological Services Field Office

Species that should be considered in an effects analysis for your project under specified conditions:

Birds					
Least tern (<i>Sterna antillarum</i>) Population: interior pop.	Endangered	species info	condition info		Corpus Christi Ecological Services Field Office
Piping Plover (<i>Charadrius melodus</i>) Population: except Great Lakes watershed	Threatened	species info	condition info	Final designated critical habitat Final designated critical habitat	Corpus Christi Ecological Services Field Office



U.S. Fish and Wildlife Service

Trust Resources List

Red Knot (<i>Calidris canutus</i>)	Proposed Threatened	species info	condition info		Corpus Christi Ecological Services Field Office
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Critical habitats within your project area:

There are no critical habitats within your project area.

FWS National Wildlife Refuges ([USFWS National Wildlife Refuges Program](#)).

There are no refuges found within the vicinity of your project.

FWS Migratory Birds ([USFWS Migratory Bird Program](#)).

The protection of birds is regulated by the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. For more information regarding these Acts see <http://www.fws.gov/migratorybirds/RegulationsandPolicies.html>.

All project proponents are responsible for complying with the appropriate regulations protecting birds when planning and developing a project. To meet these conservation obligations, proponents should identify potential or existing project-related impacts to migratory birds and their habitat and develop and implement conservation measures that avoid, minimize, or compensate for these impacts. The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

For information about Birds of Conservation Concern, go to

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html>.

Migratory birds of concern that may be affected by your project:

There are 15 birds on your Migratory birds of concern list. The Division of Migratory Bird Management is in the process of populating migratory bird data with an estimated completion date of August 1, 2014; therefore, the list below may not include all the migratory birds of concern in your project area at this time. While this information is being populated, please contact the Field Office for information about migratory birds in your project area.



Trust Resources List

Species Name	Bird of Conservation Concern (BCC)	Species Profile	Seasonal Occurrence in Project Area
Audubon's Oriole (<i>Icterus graduacauda</i>)	Yes	species info	Year-round
Bald eagle (<i>Haliaeetus leucocephalus</i>)	Yes	species info	Wintering
Bell's Vireo (<i>Vireo bellii</i>)	Yes	species info	Breeding
Burrowing Owl (<i>Athene cunicularia</i>)	Yes	species info	Wintering
Cassin's Sparrow (<i>Aimophila cassinii</i>)	Yes	species info	Year-round
Chestnut-collared Longspur (<i>Calcarius ornatus</i>)	Yes	species info	Wintering
Curve-billed Thrasher (<i>Toxostoma curvirostre</i>)	Yes	species info	Year-round
Harris's Hawk (<i>parabuteo unicinctus</i>)	Yes	species info	Year-round
Harris's Sparrow (<i>Zonotrichia querula</i>)	Yes	species info	Wintering
Hooded Oriole (<i>Icterus cucullatus</i>)	Yes	species info	Breeding
Lark Bunting (<i>Calamospiza melanocorys</i>)	Yes	species info	Wintering
Least Bittern (<i>Ixobrychus exilis</i>)	Yes	species info	Breeding
Lesser Yellowlegs (<i>Tringa flavipes</i>)	Yes	species info	Wintering
Summer tanager (<i>piranga rubra</i>)	Yes	species info	Breeding
Verdin (<i>Auriparus flaviceps</i>)	Yes	species info	Year-round



U.S. Fish and Wildlife Service

Trust Resources List

NWI Wetlands ([USFWS National Wetlands Inventory](#))

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).

Data Limitations, Exclusions and Precautions

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery and/or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Exclusions - Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Precautions - Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the



U.S. Fish and Wildlife Service

Trust Resources List

advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

IPaC is unable to display wetland information at this time.

U.S. Department of Homeland Security
500 12th Street S.W.
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

August 22, 2014

RE: Preparation of a Supplemental Environmental Assessment (SEA) for United States (U.S.) Immigration and Customs Enforcement (ICE) in Frio County, Dilley, Texas

Russell Hooten
Wildlife Habitat Assessment Program
TPWD-Wildlife Division
6300 Ocean Drive, NRC 2501
Unit 5846
Corpus Christi, TX 78412
Office: (361) 825-3240
russell.hooten@tpwd.texas.gov

Dear Mr. Hooten,

United States (U.S.) Immigration and Customs Enforcement (ICE) is the principal investigative arm of the Department of Homeland Security (DHS) and the second largest investigative agency in the Federal Government. ICE's primary mission is to promote homeland security and public safety through criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration. ICE determines the legal immigration status of individuals believed to be illegally present in the interior of the United States through the immigration courts and removes those who are determined to either be inadmissible or in violation with U.S. law. The Justice Department's Executive Office for Immigration Review conducts the immigration proceedings for both unaccompanied alien children and family units, in accordance with the requirements of Section 240 of the Immigration and Nationality Act. Unaccompanied alien children are in the custody of a sponsor until disposition of their cases, and family units stay together in Family Residential Centers until disposition of their cases. The full range of facility, services, and case management requirements for the ICE mission of enforcement and removal includes, but is not limited to, the following: providing office space, bed space, courtrooms, space for services such as medical exams, recreation, and religious services, attorney-client meetings, processing space, and transportation.

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services including medical care, transportation, utilities, meals, hygiene, recreation, etc.) currently available. Therefore, action is being considered at the DHS Headquarters level to provide increased and expedited allocation of Departmental resources in a number of areas, including the construction of facilities for ICE to provide safe and adequate housing for family units.

In accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code 4321-4347), this letter is provided to inform you that ICE is proposing an undertaking subject to NEPA and the Endangered Species Act (ESA). ICE is preparing a Supplemental Environmental Assessment (SEA) tiered from a DHS Programmatic Environmental Assessment (PEA). The proposed undertaking is for the construction and operation of a 2,400 person family residential center on approximately 51.5 acres of land to the south and southwest of an existing community known as Sendero Ranch located at 1925 West Highway 85, West Dilley, Texas 78017. The residential center would include all of the necessary services required for ICE to safely house the increased influx of family units in compliance with applicable detention and residential codes and standards while they await legal proceedings and processing.

Site Considerations and Analysis:

Land use at the proposed project location is typical south Texas brushland and rangeland/pastureland that consists of mesquite trees, prickly-pear cactus, and other native and non-native grasses. The proposed project would be located adjacent to the existing Sendero Ranch development on previously disturbed lands which would provide suitable habitat for a number of common species located throughout much of Texas such as snakes, bobcats, coyote, armadillos, skunks, raccoons, foxes, and miscellaneous varieties of rats and mice.

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Conclusion:

Based upon our review of publically available information, the existing pre-disturbed nature of the site, and the best management practices that will be employed during construction and operation of the proposed facility, **ICE finds that there would be no adverse effects to State**

¹ <http://ecos.fws.gov/crithab/flex/crithabMapper.jsp>

² <http://ecos.fws.gov/crithab/>

or Federally protected threatened or endangered species or habitat. Therefore, the proposed project does not require further consultation under Section 7 of the Endangered Species Act.

ICE respectfully requests that you provide us with any concerns or issues that you feel should be addressed in this SEA. A copy of the SEA for the proposed action can be made available upon request. ICE would appreciate you providing your agency's review and concurrence of our finding to me via email (pdf) at elizabeth.l.kennett@ice.dhs.gov as soon as possible to expedite this project. Given the urgent humanitarian issues in this situation, time is of the essence. Please direct any questions or informational requests to me at the contact information provided below.

Sincerely,



Elizabeth L. Kennett
Environmental Program Manager
DHS U.S. Immigration and Customs Enforcement
500 12th Street SW, Stop 5704
Washington, DC 20536
Office: (202) 732-6649
elizabeth.l.kennett@ice.dhs.gov

Enclosures: **Attachment 1** – Texas Parks and Wildlife Endangered Species Report
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**Attachment 1—Texas Parks and Wildlife Endangered Species Re-
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**FRIO COUNTY
BIRDS**

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year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.			
Arctic Peregrine Falcon	<i>Falco peregrinus tundrius</i>	DL	
migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.			
Baird's Sparrow	<i>Ammodramus bairdii</i>		
shortgrass prairie with scattered low bushes and matted vegetation; mostly migratory in western half of State, though winters in Mexico and just across Rio Grande into Texas from Brewster through Hudspeth counties.			
Mountain Plover	<i>Charadrius montanus</i>		
breeding: nests on high plains or shortgrass prairie, on ground in shallow depression; nonbreeding: shortgrass plains and bare, dirt (plowed) fields; primarily insectivorous.			
Peregrine Falcon	<i>Falco peregrinus</i>	DL	T
both subspecies migrate across the state from more northern breeding areas in US and Canada to winter along coast and farther south; subspecies (F. p. anatum) is also a resident breeder in west Texas; the two subspecies' listing statuses differ, F.p. tundrius is no longer listed in Texas; but because the subspecies are not easily distinguishable at a distance, reference is generally made only to the species level; see subspecies for habitat.			
Sprague's Pipit	<i>Anthus spragueii</i>	C	
only in Texas during migration and winter, mid September to early April; short to medium distance, diurnal migrant; strongly tied to native upland prairie, can be locally common in coastal grasslands, uncommon to rare further west; sensitive to patch size and avoids edges.			
Western Burrowing Owl	<i>Athene cunicularia hypugaea</i>		
open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows			

MAMMALS

		Federal Status	State Status
Black bear	<i>Ursus americanus</i>	T/SA;NL	T
<p>bottomland hardwoods and large tracts of inaccessible forested areas; due to field characteristics similar to Louisiana Black Bear (LT, T), treat all east Texas black bears as federal and state listed Threatened.</p>			
Cave myotis bat	<i>Myotis velifer</i>		
<p>colonial and cave-dwelling; also roosts in rock crevices, old buildings, carports, under bridges, and even in abandoned Cliff Swallow (<i>Hirundo pyrrhonota</i>) nests; roosts in clusters of up to thousands of individuals; hibernates in limestone caves of Edwards Plateau and gypsum cave of Panhandle during winter; opportunistic insectivore.</p>			
Frio pocket gopher	<i>Geomys texensis bakeri</i>		
<p>associated with nearly level Atco soil, which is well-drained and consists of sandy surface layers with loam extending to as deep as two meters.</p>			
Ghost-faced bat	<i>Mormoops megalophylla</i>		
<p>colonially roosts in caves, crevices, abandoned mines, and buildings; insectivorous; breeds late winter-early spring; single offspring born per year.</p>			
Gray wolf	<i>Canis lupus</i>	LE	E
<p>extirpated; formerly known throughout the western two-thirds of the state in forests, brushlands, or grasslands.</p>			
Ocelot	<i>Leopardus pardalis</i>	LE	E
<p>dense chaparral thickets; mesquite-thorn scrub and live oak mottes; avoids open areas; breeds and raises young June-November.</p>			
Plains spotted skunk	<i>Spilogale putorius interrupta</i>		
<p>catholic; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie.</p>			
Red wolf	<i>Canis rufus</i>	LE	E
<p>extirpated; formerly known throughout eastern half of Texas in brushy and forested areas, as well as coastal prairies.</p>			

REPTILES

Federal Status State Status

Reticulate collared lizard *Crotaphytus reticulatus*

T

requires open brush-grasslands; thorn-scrub vegetation, usually on well-drained rolling terrain of shallow gravel, caliche, or sandy soils; often on scattered flat rocks below escarpments or isolated rock outcrops among scattered clumps of prickly pear and mesquite.

Spot-tailed earless lizard *Holbrookia lacerata*

central and southern Texas and adjacent Mexico; moderately open prairie-brushland; fairly flat areas free of vegetation or other obstructions, including disturbed areas; eats small invertebrates; eggs laid underground.

Texas horned lizard *Phrynosoma cornutum*

T

open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September.

Texas indigo snake *Drymarchon melanurus erebennus*

T

Texas south of the Guadalupe River and Balcones Escarpment; thornbush-chaparral woodlands of south Texas, in particular dense riparian corridors; can do well in suburban and irrigated croplands if not molested or indirectly poisoned; requires moist microhabitats, such as rodent burrows, for shelter.

Texas tortoise *Gopherus berlandieri*

T

open brush with a grass understory is preferred; open grass and bare ground are avoided; when inactive occupies shallow depressions at base of bush or cactus, sometimes in underground burrows or under objects; longevity greater than 50 years; active March-November; breeds April-November.

PLANTS

Federal Status State Status

Elmendorf's onion *Allium elmendorffii*

Texas endemic; grassland openings in oak woodlands on deep, loose, well-drained sands; in Coastal Bend, on Pleistocene barrier island ridges and Holocene Sand Sheet that support live oak woodlands; to the north it occurs in post oak-black hickory-live oak woodlands over Queen City and similar Eocene formations; one anomalous specimen found on Llano Uplift in wet pockets of granitic loam; flowering March-April, May.

Sandhill woollywhite *Hymenopappus carrizoanus*

Texas endemic; disturbed or open areas in grasslands and post oak woodlands on deep sands derived from the Carrizo Sand and similar Eocene formations; flowering April-June.

Attachment 2—USFWS Trust Resource List



U.S. Fish and Wildlife Service

Trust Resources List

This resource list is to be used for planning purposes only — it is not an official species list.

Endangered Species Act species list information for your project is available online and listed below for the following FWS Field Offices:

Corpus Christi Ecological Services Field Office
U.S. FISH AND WILDLIFE SERVICES, C/O TAMU-CC
6300 OCEAN DRIVE, #5837
CORPUS CHRISTI, TX 78412
(361) 994-9005
<http://www.fws.gov/southwest/es/CorpusChristiTexas/>
http://www.fws.gov/southwest/es/ES_Lists_Main2.html

Project Name:

Dilley, TX



U.S. Fish and Wildlife Service

Trust Resources List

Project Location Map:



Project Counties:

Frio, TX

Geographic coordinates (Open Geospatial Consortium Well-Known Text, NAD83):

MULTIPOLYGON (((-99.1999664 28.6626914, -99.1971361 28.6591159, -99.1985952 28.6542956, -99.205202 28.654256, -99.2028417 28.6617895, -99.1999664 28.6626914)))

Project Type:

Development



Trust Resources List

Endangered Species Act Species List (USFWS Endangered Species Program).

There are a total of 6 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Note that 3 of these species should be considered only under certain conditions. See the second table below for a list of these species and the conditions under which effects should be considered. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section below for critical habitat that lies within your project area. Please contact the designated FWS office if you have questions.

Species that should be considered in an effects analysis for your project:

Birds	Status		Has Critical Habitat	Contact
Sprague's Pipit (<i>Anthus spragueii</i>)	Candidate	species info		Corpus Christi Ecological Services Field Office
Mammals				
Gulf Coast jaguarundi (<i>Herpailurus (=felis) yagouaroundi cacomitli</i>) Population: U.S.A.(TX),Mexico	Endangered	species info		Corpus Christi Ecological Services Field Office
ocelot (<i>Leopardus (=felis) pardalis</i>) Population: U.S.A.(AZ, TX) to Central and South America	Endangered	species info		Corpus Christi Ecological Services Field Office

Species that should be considered in an effects analysis for your project under specified conditions:

Birds					
Least tern (<i>Sterna antillarum</i>) Population: interior pop.	Endangered	species info	condition info		Corpus Christi Ecological Services Field Office
Piping Plover (<i>Charadrius melodus</i>) Population: except Great Lakes watershed	Threatened	species info	condition info	Final designated critical habitat Final designated critical habitat	Corpus Christi Ecological Services Field Office



U.S. Fish and Wildlife Service

Trust Resources List

Red Knot (<i>Calidris canutus</i>)	Proposed Threatened	species info	condition info	Corpus Christi Ecological Services Field Office
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Critical habitats within your project area:

There are no critical habitats within your project area.

FWS National Wildlife Refuges (USFWS National Wildlife Refuges Program)

There are no refuges found within the vicinity of your project.

FWS Migratory Birds (USFWS Migratory Bird Program)

The protection of birds is regulated by the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. For more information regarding these Acts see <http://www.fws.gov/migratorybirds/RegulationsandPolicies.html>.

All project proponents are responsible for complying with the appropriate regulations protecting birds when planning and developing a project. To meet these conservation obligations, proponents should identify potential or existing project-related impacts to migratory birds and their habitat and develop and implement conservation measures that avoid, minimize, or compensate for these impacts. The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

For information about Birds of Conservation Concern, go to <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html>.

Migratory birds of concern that may be affected by your project:

There are 15 birds on your Migratory birds of concern list. The Division of Migratory Bird Management is in the process of populating migratory bird data with an estimated completion date of August 1, 2014; therefore, the list below may not include all the migratory birds of concern in your project area at this time. While this information is being populated, please contact the Field Office for information about migratory birds in your project area.



U.S. Fish and Wildlife Service

Trust Resources List

Species Name	Bird of Conservation Concern (BCC)	Species Profile	Seasonal Occurrence in Project Area
Audubon's Oriole (<i>Icterus graduacauda</i>)	Yes	species info	Year-round
Bald eagle (<i>Haliaeetus leucocephalus</i>)	Yes	species info	Wintering
Bell's Vireo (<i>Vireo bellii</i>)	Yes	species info	Breeding
Burrowing Owl (<i>Athene cunicularia</i>)	Yes	species info	Wintering
Cassin's Sparrow (<i>Aimophila cassinii</i>)	Yes	species info	Year-round
Chestnut-collared Longspur (<i>Calcarius ornatus</i>)	Yes	species info	Wintering
Curve-billed Thrasher (<i>Toxostoma curvirostre</i>)	Yes	species info	Year-round
Harris's Hawk (<i>parabuteo unicinctus</i>)	Yes	species info	Year-round
Harris's Sparrow (<i>Zonotrichia querula</i>)	Yes	species info	Wintering
Hooded Oriole (<i>Icterus cucullatus</i>)	Yes	species info	Breeding
Lark Bunting (<i>Calamospiza melanocorys</i>)	Yes	species info	Wintering
Least Bittern (<i>Ixobrychus exilis</i>)	Yes	species info	Breeding
Lesser Yellowlegs (<i>Tringa flavipes</i>)	Yes	species info	Wintering
Summer tanager (<i>piranga rubra</i>)	Yes	species info	Breeding
Verdin (<i>Auriparus flaviceps</i>)	Yes	species info	Year-round



U.S. Fish and Wildlife Service

Trust Resources List

NWI Wetlands (USFWS National Wetlands Inventory).

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).

Data Limitations, Exclusions and Precautions

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery and/or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Exclusions - Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Precautions - Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the



U.S. Fish and Wildlife Service

Trust Resources List

advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

IPaC is unable to display wetland information at this time.

Figure 1—Vicinity Map

Figure 1: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Vicinity Map

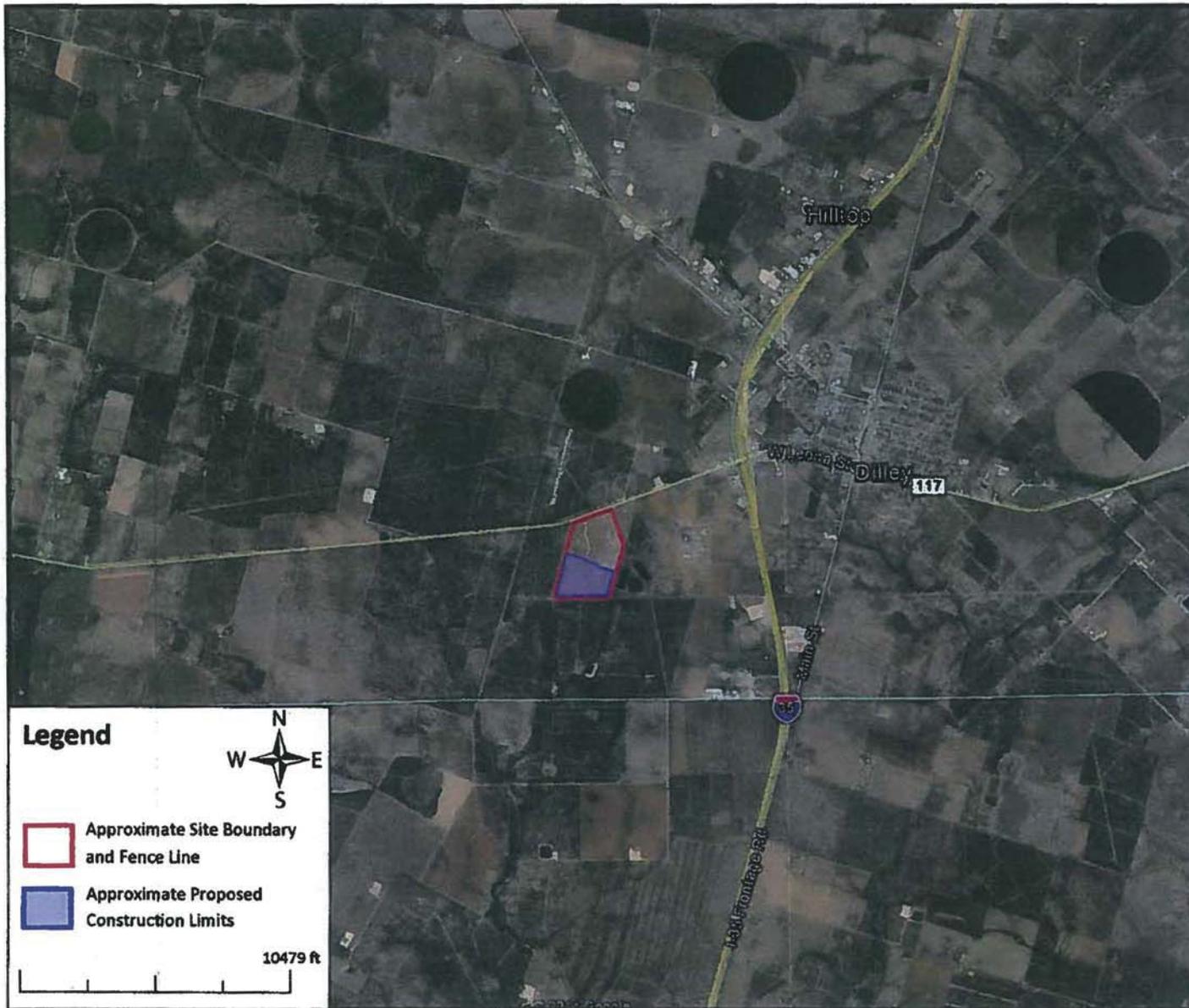


Figure 2—Site Overview

Figure 2: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Overview



Figure 3—Critical Habitat Map

Figure 3: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Critical Habitat Map



Figure generated from the USFWS Critical Habitat Mapper with all "Live Maps" selected. The site boundary was drawn with the Critical Habitat Mapper "draw" tool. This area is designated as the "Lower Frio" hydrologic area, as shown on the map.

Office of Facilities Administration
U.S. Department of Homeland Security
500 12th Street S.W.
Washington, D.C. 20536



**U.S. Immigration
and Customs
Enforcement**

August 22, 2014

Holly Houghten
Tribal Historic Preservation Officer
Mescalero Apache
PO Box 227
Mescalero, NM 88340

Subject: Preparation of a Supplemental Environmental Assessment (SEA) for United States (U.S.) Immigration and Customs Enforcement (ICE) in Frio County, Dilley, Texas

Dear Ms. Houghten,

United States (U.S.) Immigration and Customs Enforcement (ICE) is the principal investigative arm of the Department of Homeland Security (DHS) and the second largest investigative agency in the Federal Government. ICE's primary mission is to promote homeland security and public safety through criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration. ICE determines the legal immigration status of individuals believed to be illegally present in the interior of the United States through the immigration courts and removes those who are determined to either be inadmissible or in violation with U.S. law. The Justice Department's Executive Office for Immigration Review conducts the immigration proceedings for both unaccompanied alien children and family units, in accordance with the requirements of Section 240 of the Immigration and Nationality Act. Unaccompanied alien children are in the custody of a sponsor until disposition of their cases, and family units stay together in Family Residential Centers until disposition of their cases. The full range of facility, services, and case management requirements for the ICE mission of enforcement and removal includes, but is not limited to, the following: providing office space, bed space, courtrooms, space for services such as medical exams, recreation, and religious services, attorney-client meetings, processing space, and transportation.

The June 2, 2014 Presidential Memorandum "Response to the Influx of Unaccompanied Alien Children Across the Southwest Border" described the influx as an "urgent humanitarian situation requiring a unified and coordinated Federal response." The unprecedented increase in the number of apprehended persons has the potential to fill or exceed the capacity of the DHS supporting infrastructure (real property for processing and housing apprehended persons, services including medical care, transportation, utilities, meals, hygiene, recreation, etc.) currently available. Therefore, action is being considered at the DHS Headquarters level to provide increased and expedited allocation of Departmental resources in a number of areas, including the construction of facilities for ICE to provide safe and adequate housing for families.

In accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code 4321-4347), this letter is provided to inform you that ICE is proposing an undertaking subject to NEPA and the Endangered Species Act (ESA). ICE is preparing a Supplemental Environmental Assessment (SEA) tiered from a DHS Programmatic Environmental Assessment (PEA). The proposed undertaking is for the construction and

operation of an approximate 2,400 person family residential center on approximately 51.5 acres of land to the south and southwest of an existing community known as Sendero Ranch located at 1925 West Highway 85, West Dilley, Texas 78017 as identified in **Figure 2**. The residential center would include all of the necessary services required for ICE to safely house the increased influx of family units in compliance with applicable detention and residential codes and standards while they await legal proceedings and processing.

ICE is currently in the process of gathering the most current information available, in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800. To ensure that any areas of sacred or spiritual significance to Native American groups are considered, we would appreciate your help in identifying any interests or concerns regarding any cultural resources that you believe may be affected by the proposed facility. We welcome your comments on this undertaking and look forward to hearing any concerns you may have regarding cultural resources, Traditional Cultural Properties (TCPs), and Indian sacred sites within the proposed project area.

ICE respectfully requests that you provide us with any concerns or issues that you feel should be addressed in this SEA. A copy of the SEA for the proposed action can be made available upon request. ICE would appreciate you providing any comments or questions to me via email (pdf) at elizabeth.l.kennett@ice.dhs.gov as soon as possible to expedite this project. Given the urgent humanitarian issues in this situation, time is of the essence. Please direct any questions or informational requests to me at the contact information provided below.

Sincerely,



Elizabeth L. Kennett
Environmental Program Manager
DHS U.S. Immigration and Customs Enforcement
500 12th Street SW, Stop 5704
Washington, DC 20536
Office: (202) 732-6649
elizabeth.l.kennett@ice.dhs.gov

Enclosures:

- Figure 1** – Frio County Map
- Figure 2** – Vicinity Map
- Figure 3** – Site Overview
- Figure 4** – Site Plan Overlay Map

Figure 1: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Frio County Map

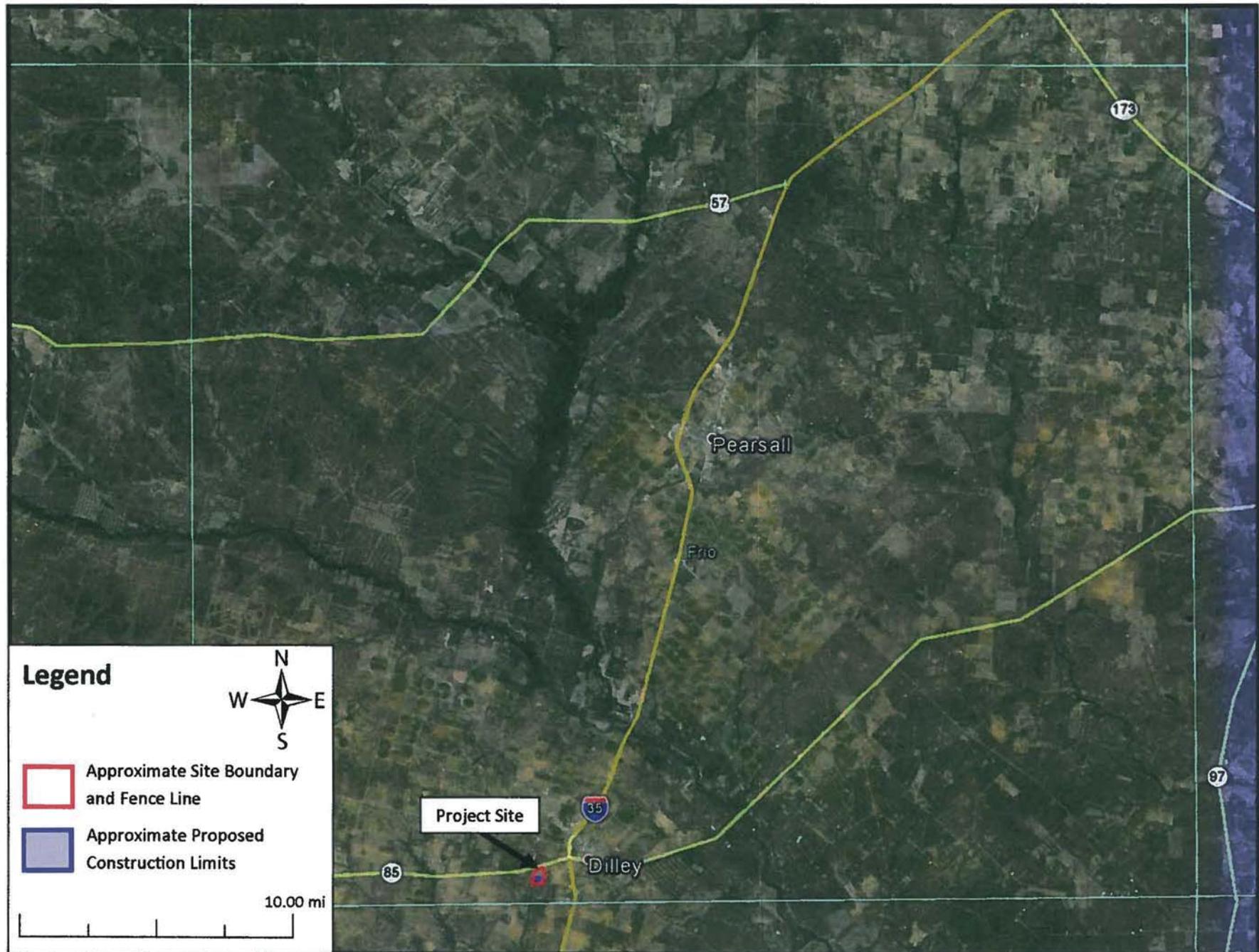


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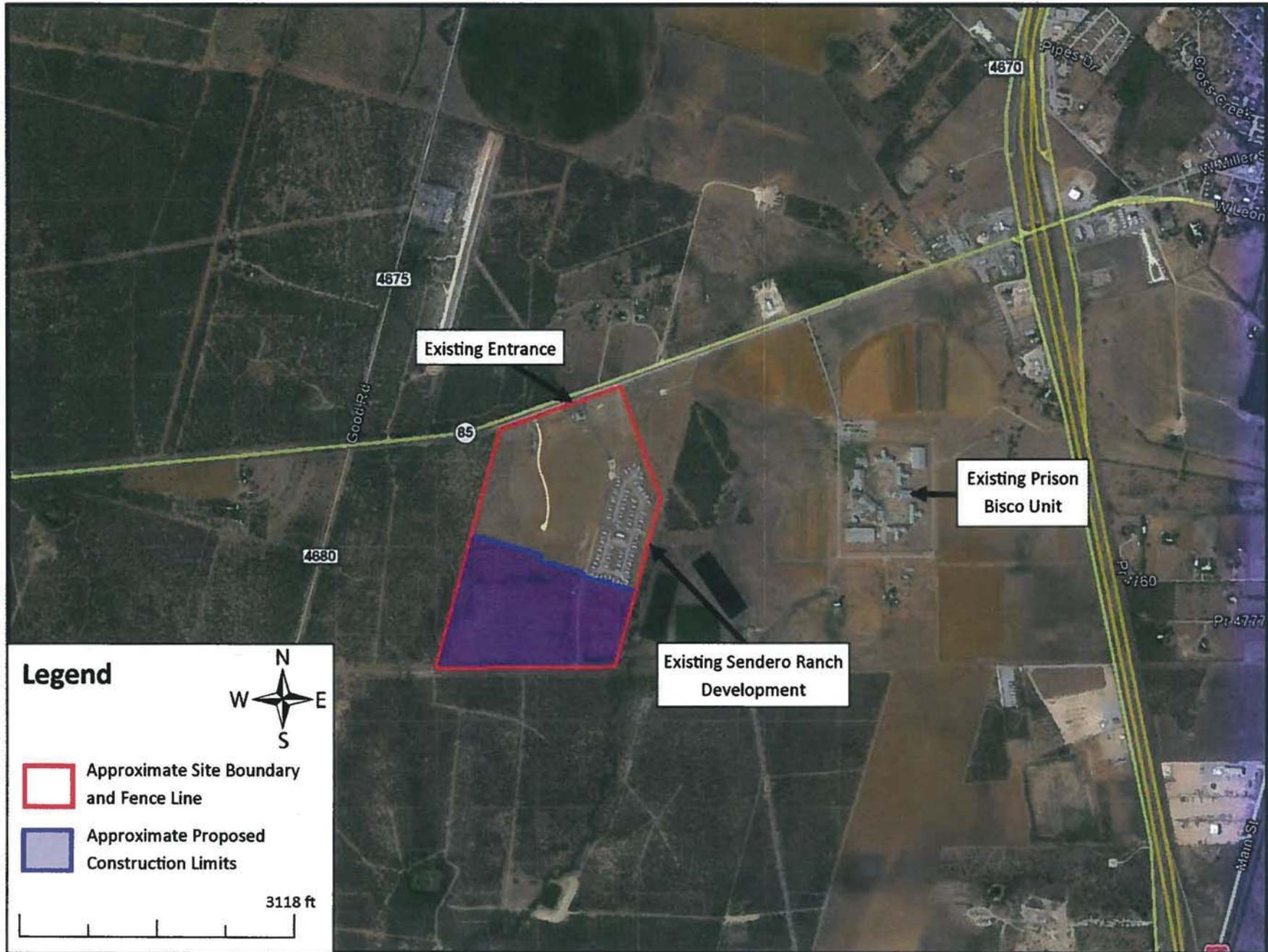
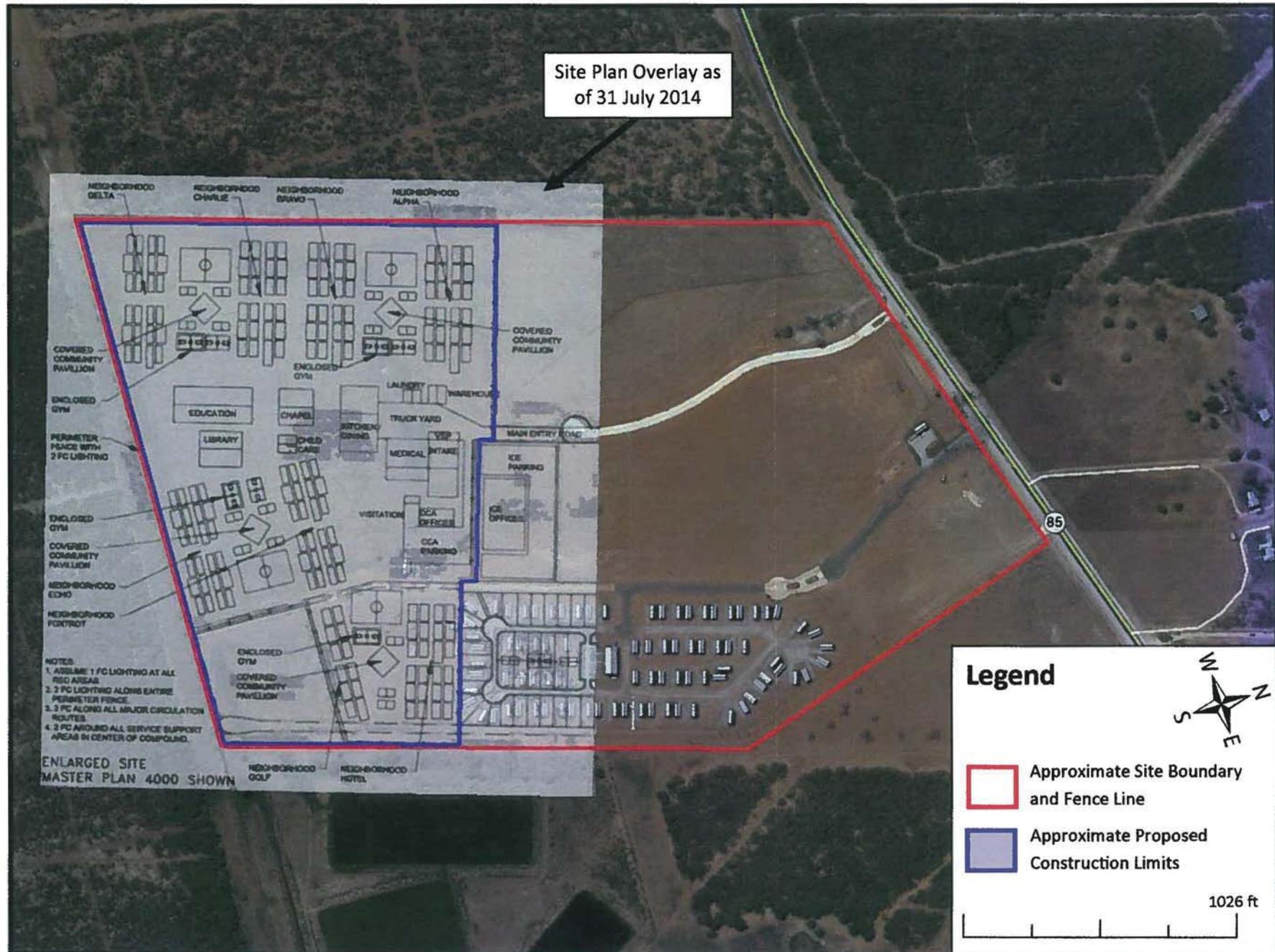


Figure 3: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Overview



Figure 4: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Plan Overlay Map



Office of Facilities Administration
U.S. Department of Homeland Security
500 12th Street S.W.
Washington, D.C. 20536



**U.S. Immigration
and Customs
Enforcement**

August 22, 2014

Jimmy Arterberry
Tribal Historic Preservation Officer
Comanche Nation of Oklahoma
PO Box 908
Lawton, OK 73502

Subject: Preparation of a Supplemental Environmental Assessment (SEA) for United States (U.S.) Immigration and Customs Enforcement (ICE) in Frio County, Dilley, Texas

Dear Mr. Arterberry,

United States (U.S.) Immigration and Customs Enforcement (ICE) is the principal investigative arm of the Department of Homeland Security (DHS) and the second largest investigative agency in the Federal Government. ICE's primary mission is to promote homeland security and public safety through criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration. ICE determines the legal immigration status of individuals believed to be illegally present in the interior of the United States through the immigration courts and removes those who are determined to either be inadmissible or in violation with U.S. law. The Justice Department's Executive Office for Immigration Review conducts the immigration proceedings for both unaccompanied alien children and family units, in accordance with the requirements of Section 240 of the Immigration and Nationality Act. Unaccompanied alien children are in the custody of a sponsor until disposition of their cases, and family units stay together in Family Residential Centers until disposition of their cases. The full range of facility, services, and case management requirements for the ICE mission of enforcement and removal includes, but is not limited to, the following: providing office space, bed space, courtrooms, space for services such as medical exams, recreation, and religious services, attorney-client meetings, processing space, and transportation.

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ICE respectfully requests that you provide us with any concerns or issues that you feel should be addressed in this SEA. A copy of the SEA for the proposed action can be made available upon request. ICE would appreciate you providing any comments or questions to me via email (pdf) at elizabeth.l.kennett@ice.dhs.gov as soon as possible to expedite this project. Given the urgent humanitarian issues in this situation, time is of the essence. Please direct any questions or informational requests to me at the contact information provided below.

Sincerely,



Elizabeth L. Kennett
Environmental Program Manager
DHS U.S. Immigration and Customs Enforcement
500 12th Street SW, Stop 5704
Washington, DC 20536
Office: (202) 732-6649
elizabeth.l.kennett@ice.dhs.gov

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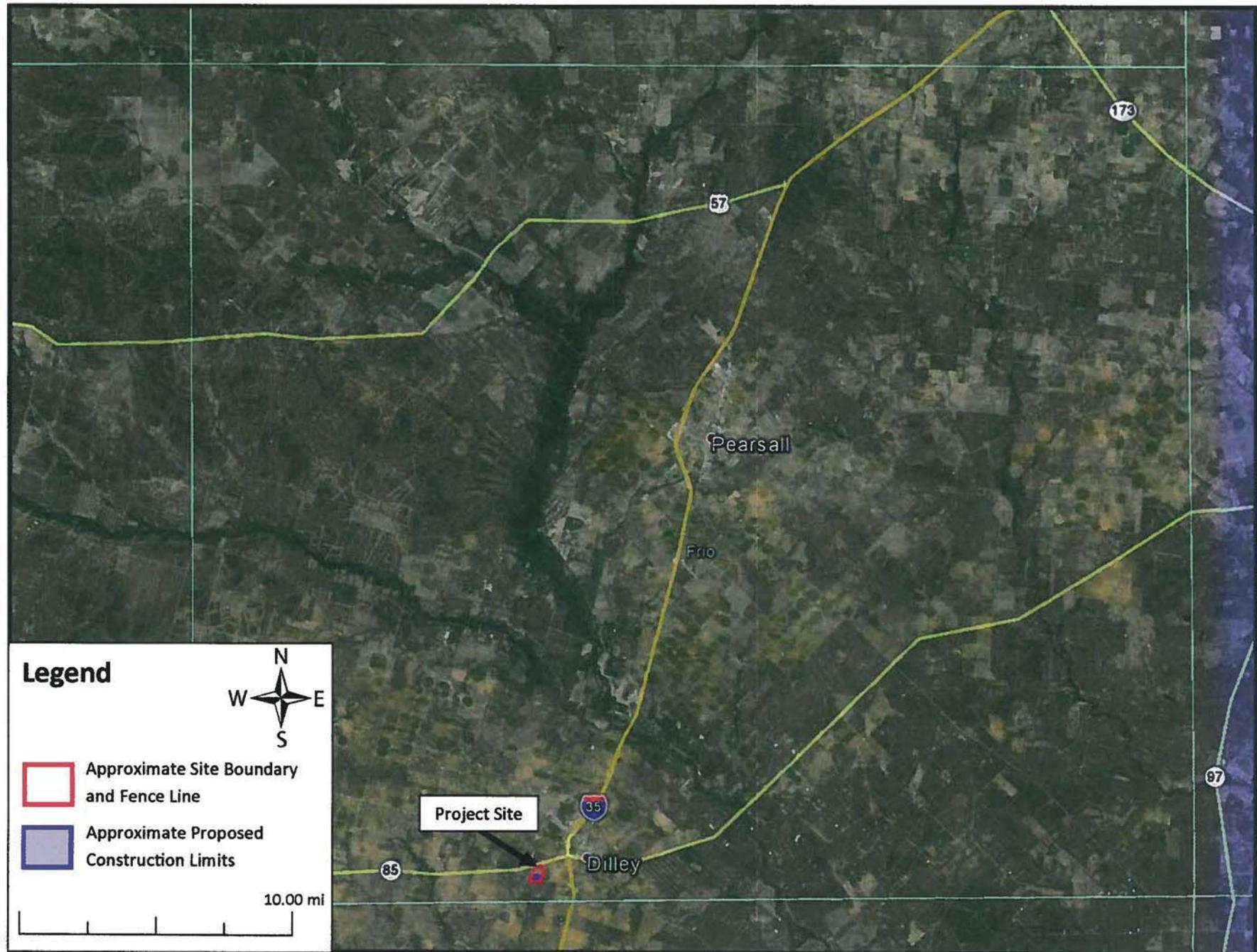


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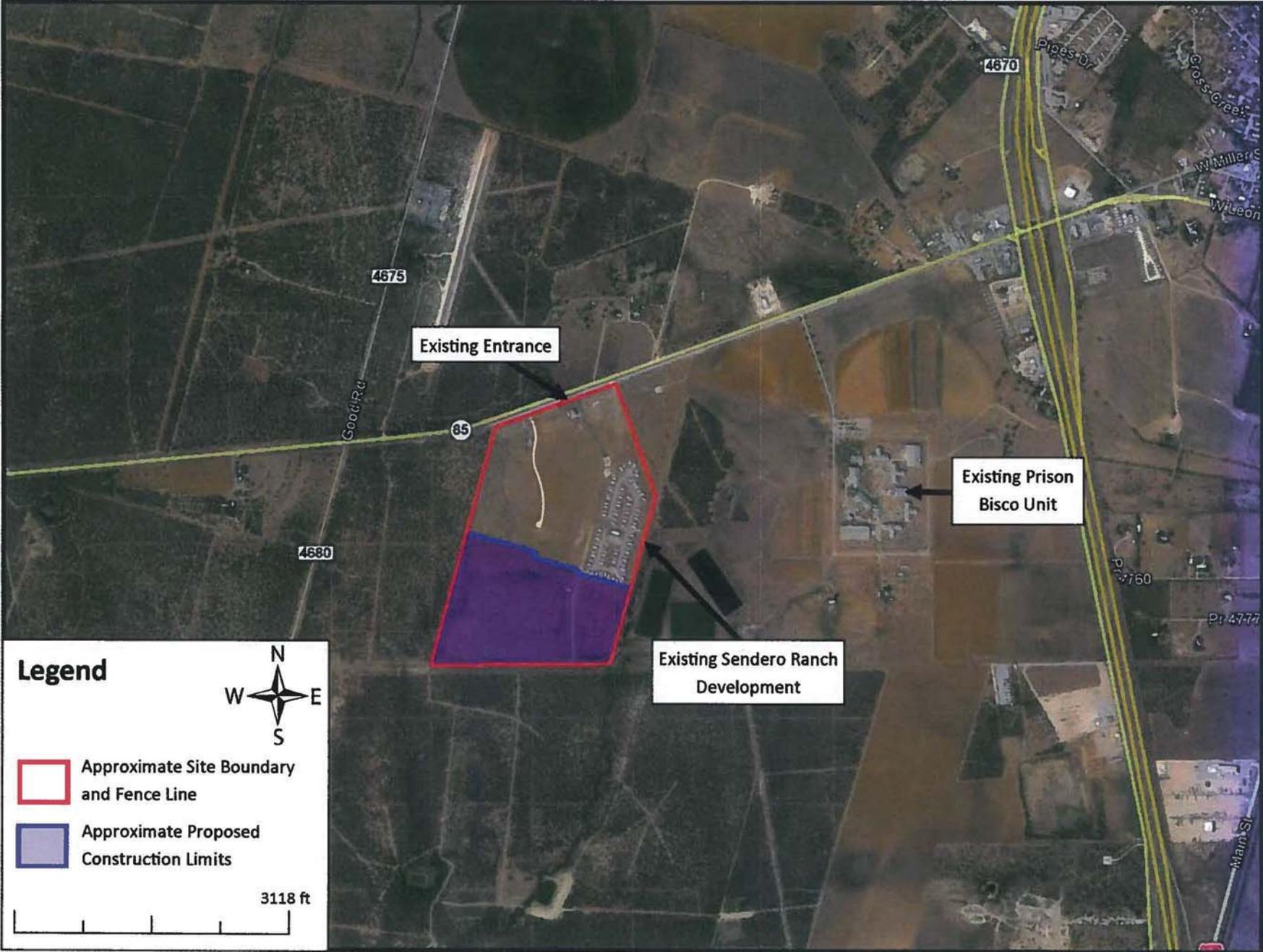
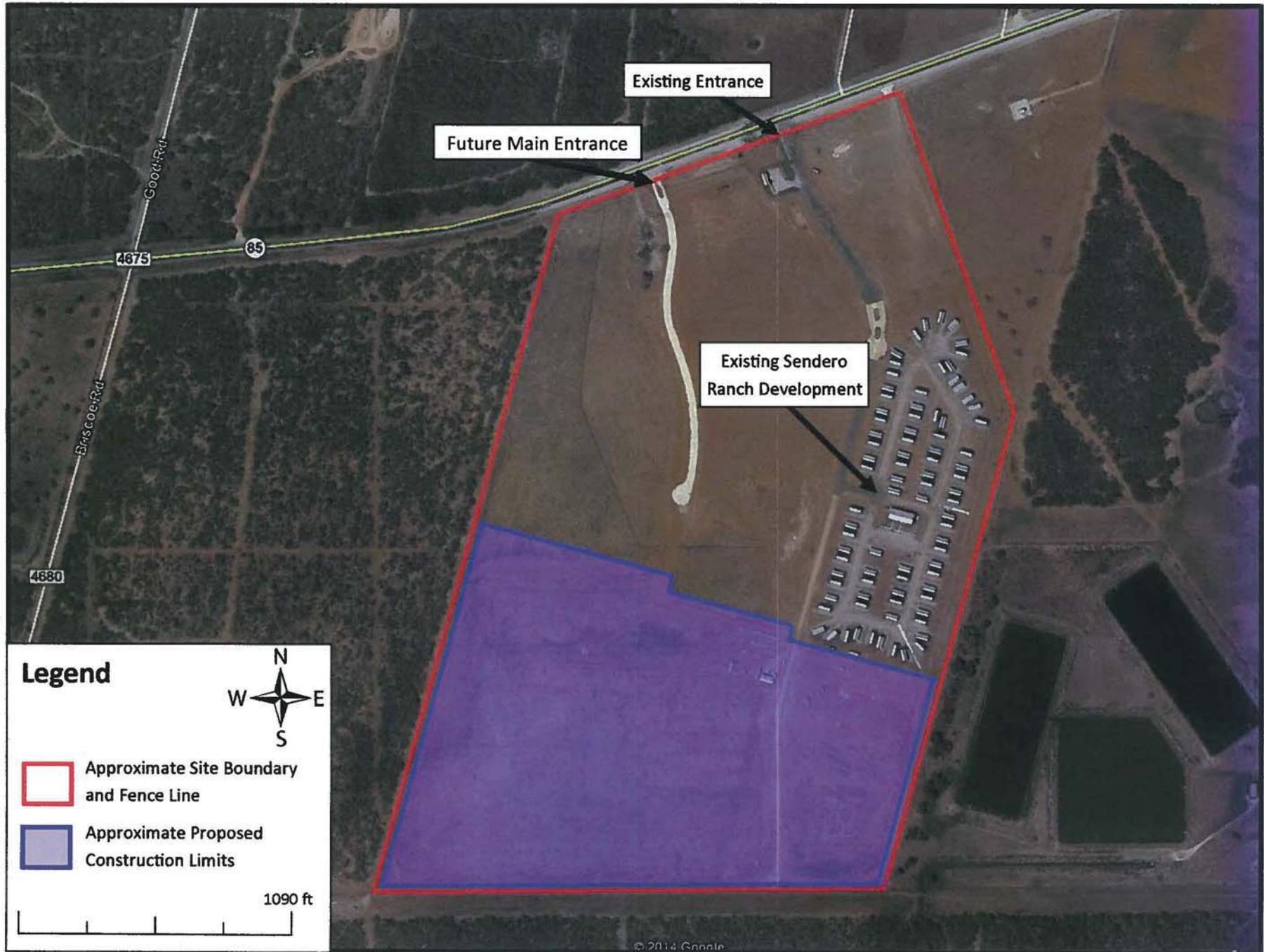


Figure 3: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Overview



U.S. Department of Homeland Security
500 12th Street S.W.
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

August 22, 2014

RE: Preparation of a Supplemental Environmental Assessment (SEA) for United States (U.S.) Immigration and Customs Enforcement (ICE) in Frio County, Dilley, Texas

The Honorable Mary Ann Obregon
Mayor
P.O. Box 230
Dilley, TX 78017-0230
(830) 965-1624

Dear Ms. Obregon,

United States (U.S.) Immigration and Customs Enforcement (ICE) is the principal investigative arm of the Department of Homeland Security (DHS) and the second largest investigative agency in the Federal Government. ICE's primary mission is to promote homeland security and public safety through criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration. ICE determines the legal immigration status of individuals believed to be illegally present in the interior of the United States through the immigration courts and removes those who are determined to either be inadmissible or in violation with U.S. law. The Justice Department's Executive Office for Immigration Review conducts the immigration proceedings for both unaccompanied alien children and family units, in accordance with the requirements of Section 240 of the Immigration and Nationality Act. Unaccompanied alien children are in the custody of a sponsor until disposition of their cases, and family units stay together in Family Residential Centers until disposition of their cases. The full range of facility, services, and case management requirements for the ICE mission of enforcement and removal includes, but is not limited to, the following: providing office space, bed space, courtrooms, space for services such as medical exams, recreation, and religious services, attorney-client meetings, processing space, and transportation.

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ICE has consulted with a number of other State and Federal agencies regarding the proposed project as identified in **Attachment 1**. Individual agencies will receive additional technical and site related information necessary to provide adequate reviews of the proposed project.

ICE respectfully requests that you provide us with any concerns or issues that you feel should be addressed in this SEA. A copy of the SEA for the proposed action can be made available upon request. ICE would appreciate you providing any comments or questions to me via email (pdf) at elizabeth.l.kennett@ice.dhs.gov as soon as possible to expedite this project. Given the urgent humanitarian issues in this situation, time is of the essence. Please direct any questions or informational requests to me at the contact information provided below.

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500 12th Street SW, Stop 5704
Washington, DC 20536
Office: (202) 732-6649
elizabeth.l.kennett@ice.dhs.gov

Enclosures: **Attachment 1** – ICE SEA List of Federal and State Agencies Consulted
Figure 1 – Frio County Map
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Figure 4 – Site Plan Overlay Map

ICE Dilley SEA Scoping Letters List 8/13/2014

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USFWS	Mary Orms Consultation Review Lead U.S. Fish and Wildlife Service c/o Texas A&M University at Corpus Christi Corpus Christi Ecological Services Field Office 6300 Ocean Drive, Unit 5837 Corpus Christi, TX 78412-5837 Phone: (361) 994-9005 EXT: 246	USFWS Trust Resource List Texas Parks and Wildlife Endangered Species Report
NRCS	Drew Kinney Modeling Unit Leader USDA-Natural Resources Conservation Service 101 S. Main Temple, TX 76501-7682 Office: (254) 742-9854	USDA Form AD-1006(10-83)
STATE		
Agency	Address	Comment/Forms
TPWD	Russell Hooten Wildlife Habitat Assessment Program TPWD-Wildlife Division 6300 Ocean Drive, NRC 2501 Unit 5846 Corpus Christi, TX 78412 Office: (361) 825-3240	Texas Parks and Wildlife Endangered Species Report USFWS Trust Resource List
THC	Mark Wolfe State Historic Preservation Officer Texas Historical Commission 108 W. 16th Street Austin, TX 78701 (512) 463-6100	Request for SHPO Consultation Form http://www.thc.state.tx.us/public/upload/form/s/SHPO_Consultation_Form-Ver0811.pdf
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Mescalero Apache	Holly Houghten Tribal Historic Preservation Office (THPO) P.O. Box 227 Mescalero, NM 88340 (575) 464-3005	
Comanche Nation of Oklahoma	Jimmy Arterberry Tribal Historic Preservation Office (THPO) P.O. Box 908 Lawton, OK 73502 580-595-9960	
OTHER STAKEHOLDERS		
Agency	Address	Comment/Forms
Frio County	Honorable Carlos A. Garcia Judge 500 E. San Antonio St., Box 7 Pearsall, TX 78061 (830) 334-2154	

ICE Dilley SEA Scoping Letters List 8/13/2014

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Frio County	Honorable Jose "Pepe" Flores Frio County Precinct 4 Commissioner 1170 CR 3709 Dilley, Texas 78017 (210) 461-0563	
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Figure 1: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Frio County Map

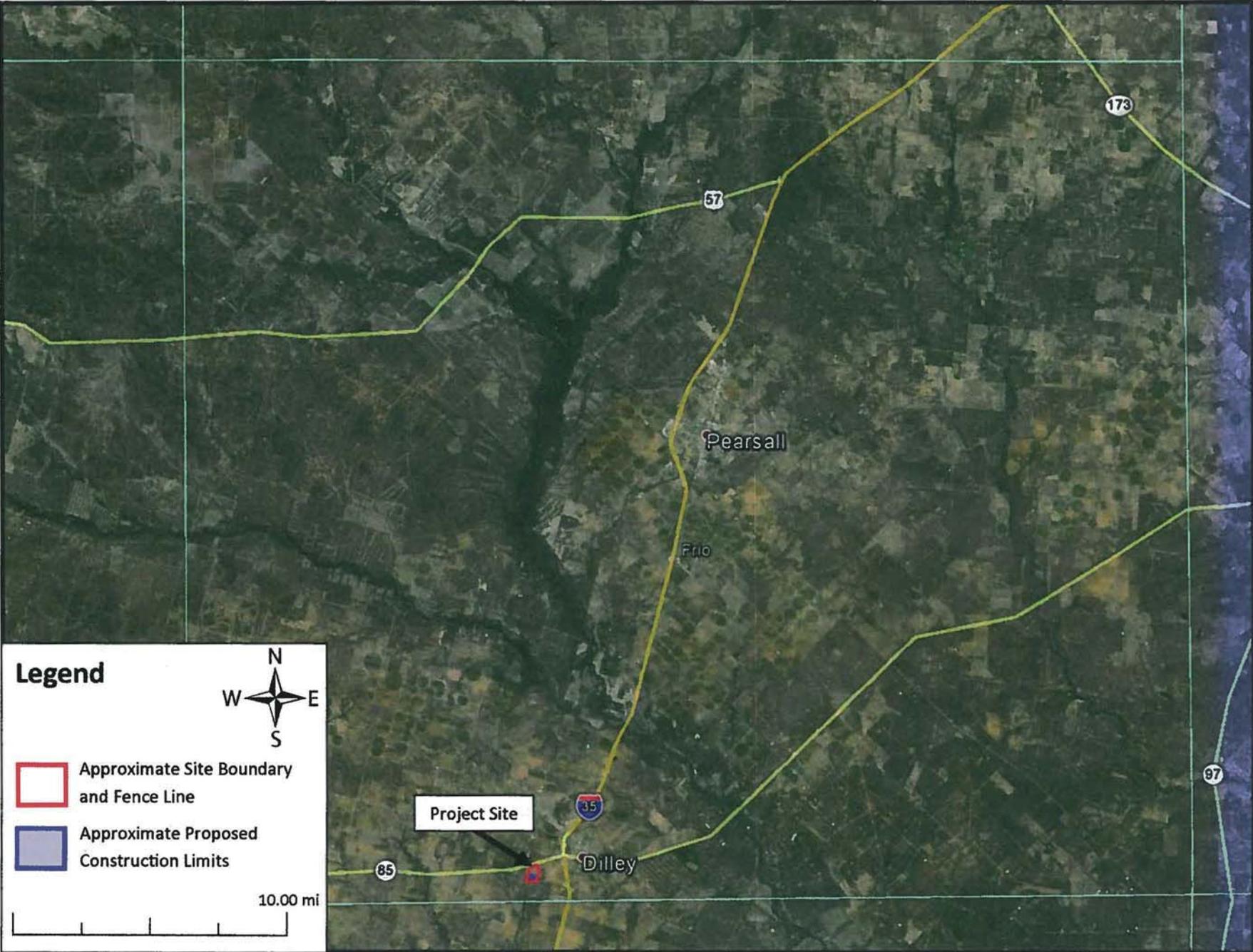


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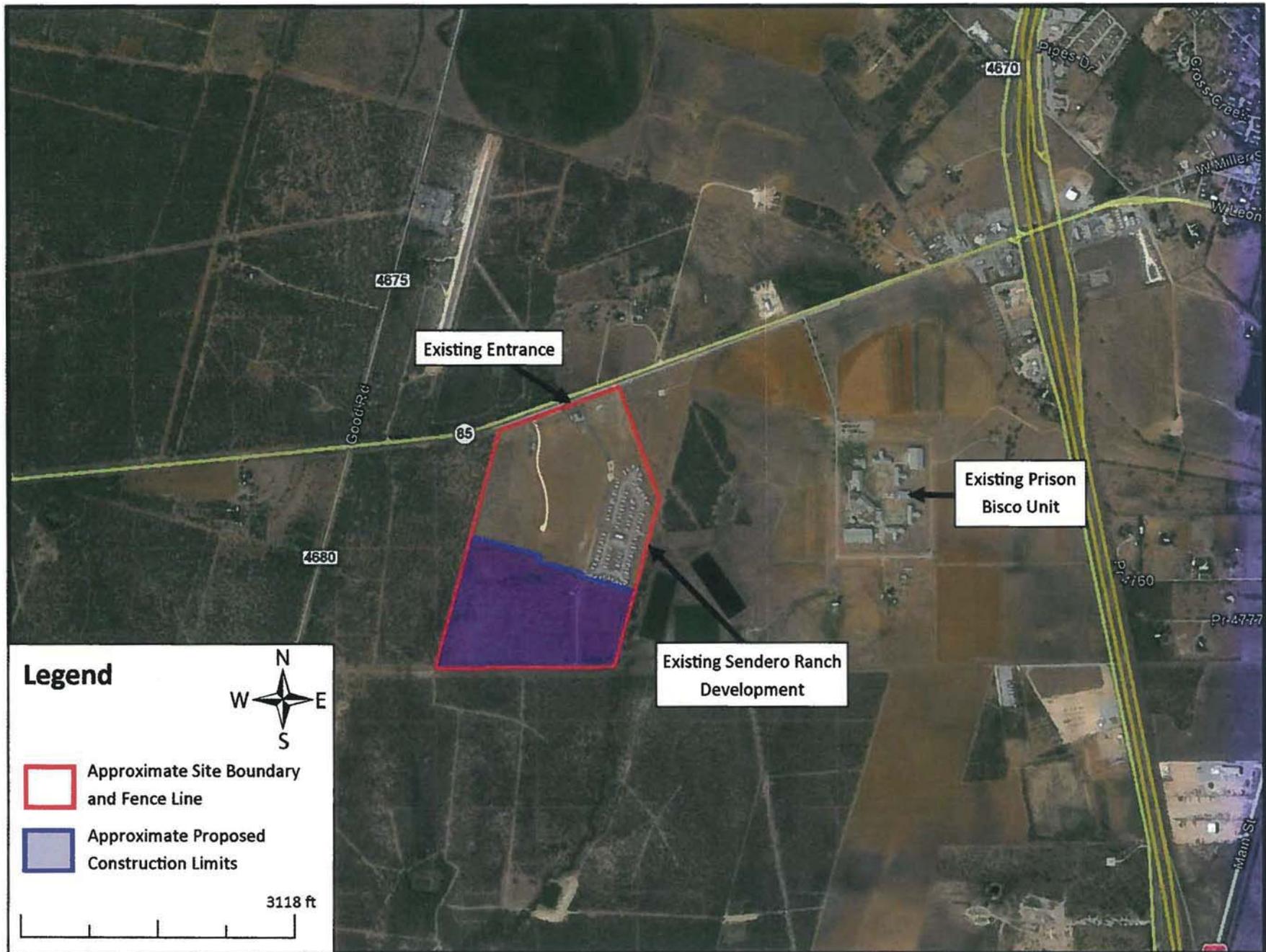
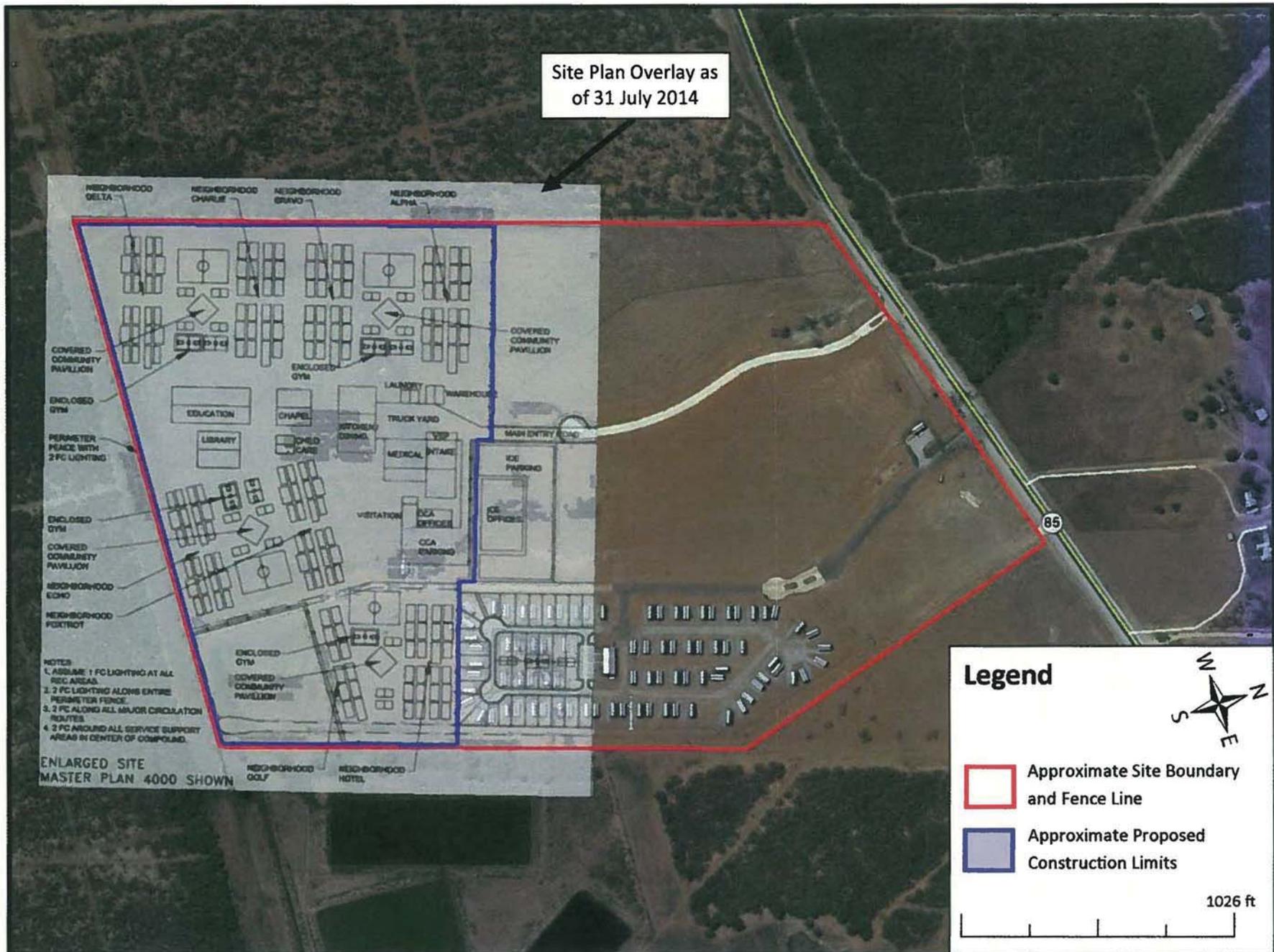


Figure 3: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Overview



Figure 4: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Plan Overlay Map



U.S. Department of Homeland Security
500 12th Street S.W.
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

August 22, 2014

RE: Preparation of a Supplemental Environmental Assessment (SEA) for United States (U.S.) Immigration and Customs Enforcement (ICE) in Frio County, Dilley, Texas

Honorable Jose "Pepe" Flores
Frio County Precinct 4 Commissioner
1170 CR 3709
Dilley, Texas 78017
(210) 461-0563

Dear Mr. Flores,

United States (U.S.) Immigration and Customs Enforcement (ICE) is the principal investigative arm of the Department of Homeland Security (DHS) and the second largest investigative agency in the Federal Government. ICE's primary mission is to promote homeland security and public safety through criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration. ICE determines the legal immigration status of individuals believed to be illegally present in the interior of the United States through the immigration courts and removes those who are determined to either be inadmissible or in violation with U.S. law. The Justice Department's Executive Office for Immigration Review conducts the immigration proceedings for both unaccompanied alien children and family units, in accordance with the requirements of Section 240 of the Immigration and Nationality Act. Unaccompanied alien children are in the custody of a sponsor until disposition of their cases, and family units stay together in Family Residential Centers until disposition of their cases. The full range of facility, services, and case management requirements for the ICE mission of enforcement and removal includes, but is not limited to, the following: providing office space, bed space, courtrooms, space for services such as medical exams, recreation, and religious services, attorney-client meetings, processing space, and transportation.

The June 2, 2014 Presidential Memorandum "Response to the Influx of Unaccompanied Alien Children Across the Southwest Border" described the influx as an "urgent humanitarian situation requiring a unified and coordinated Federal response." The unprecedented increase in the number of apprehended persons has the potential to fill or exceed the capacity of the DHS supporting infrastructure (real property for processing and housing apprehended persons, services including medical care, transportation, utilities, meals, hygiene, recreation, etc.) currently available. Therefore, action is being considered at the DHS Headquarters level to provide increased and expedited allocation of Departmental resources in a number of areas, including the construction of facilities for ICE to provide safe and adequate housing for families.

In accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code 4321-4347), this letter is provided to inform you that ICE is proposing an undertaking subject to NEPA and the Endangered Species Act (ESA). ICE is preparing a Supplemental Environmental Assessment (SEA) tiered from a DHS Programmatic Environmental Assessment (PEA). The proposed undertaking is for the construction and operation of an approximate 2,400 person family residential center on approximately 51.5 acres of land to the south and southwest of an existing community known as Sendero Ranch located at 1925 West Highway 85, West Dilley, Texas 78017 as identified in **Figure 2**. The residential center would include all of the necessary services required for ICE to safely house the increased influx of family units in compliance with applicable detention and residential codes and standards while they await legal proceedings and processing.

ICE has consulted with a number of other State and Federal agencies regarding the proposed project as identified in **Attachment 1**. Individual agencies will receive additional technical and site related information necessary to provide adequate reviews of the proposed project.

ICE respectfully requests that you provide us with any concerns or issues that you feel should be addressed in this SEA. A copy of the SEA for the proposed action can be made available upon request. ICE would appreciate you providing any comments or questions to me via email (pdf) at elizabeth.l.kennett@ice.dhs.gov as soon as possible to expedite this project. Given the urgent humanitarian issues in this situation, time is of the essence. Please direct any questions or informational requests to me at the contact information provided below.

Sincerely,



Elizabeth L. Kennett
Environmental Program Manager
DHS U.S. Immigration and Customs Enforcement
500 12th Street SW, Stop 5704
Washington, DC 20536
Office: (202) 732-6649
elizabeth.l.kennett@ice.dhs.gov

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OTHER STAKEHOLDERS		
Agency	Address	Comment/Forms
City of Dilley	Honorable Mary Ann Obregon Mayor P.O. Box 230 Dilley, TX 78017-0230 (830) 965-1624	

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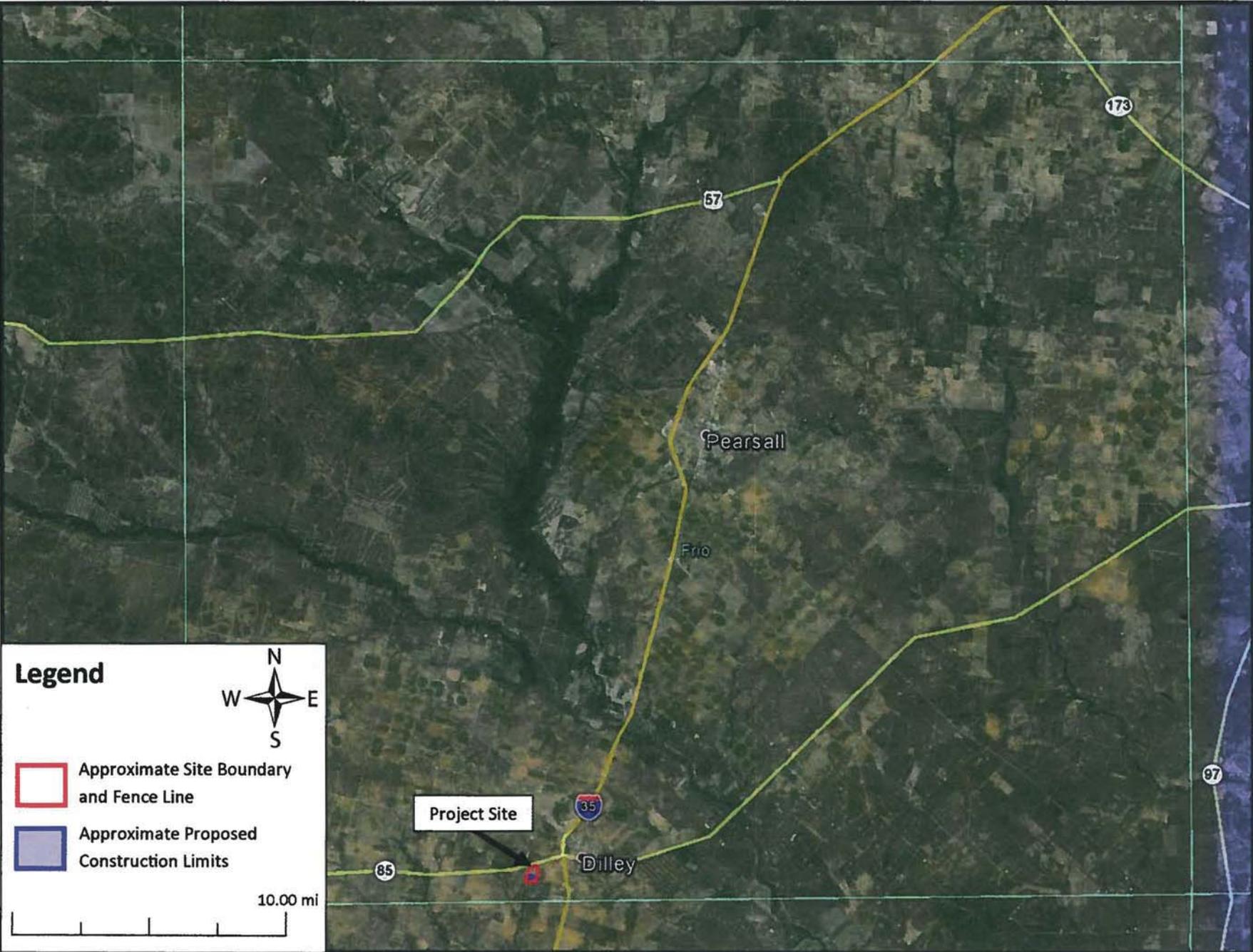


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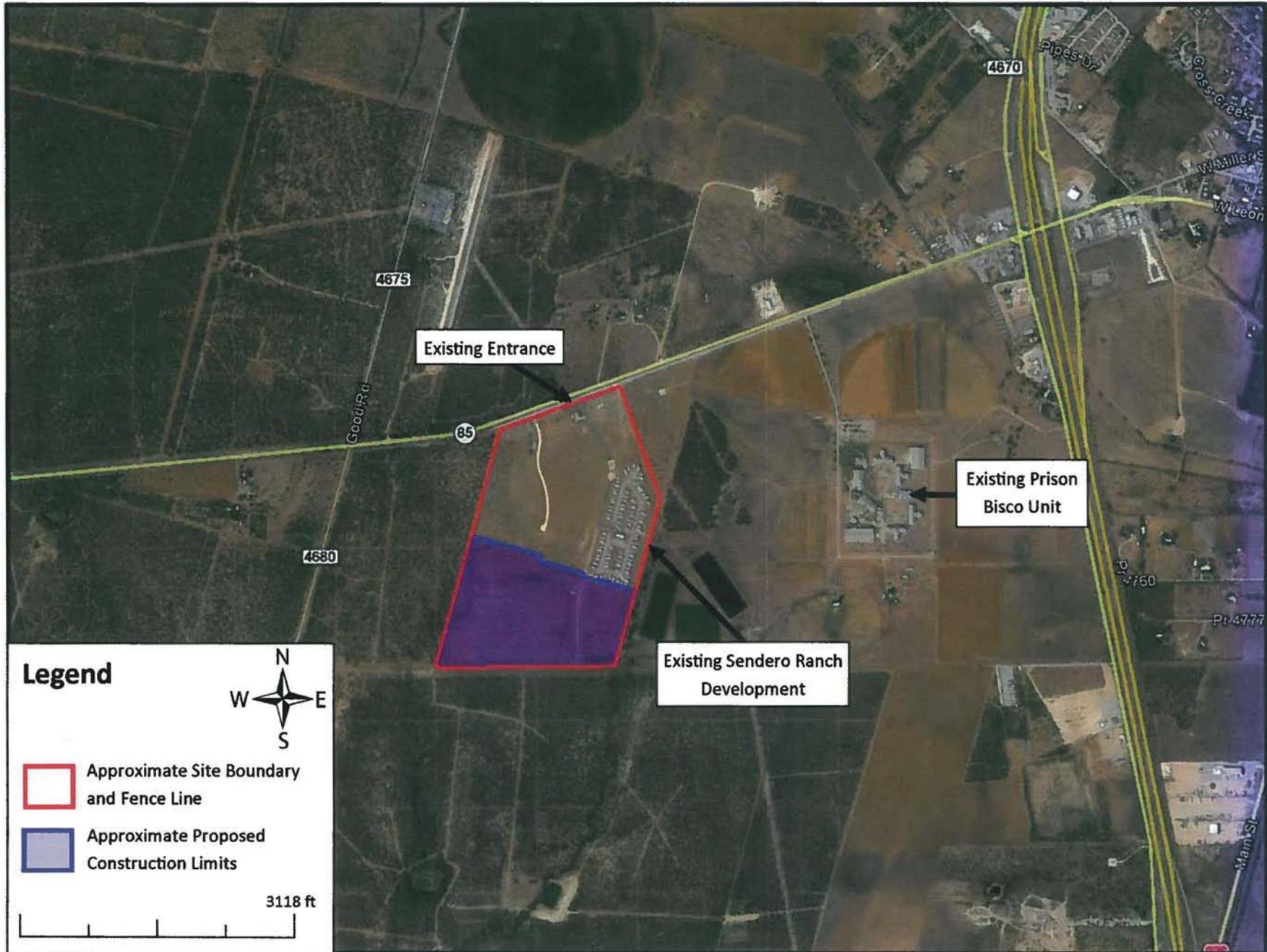


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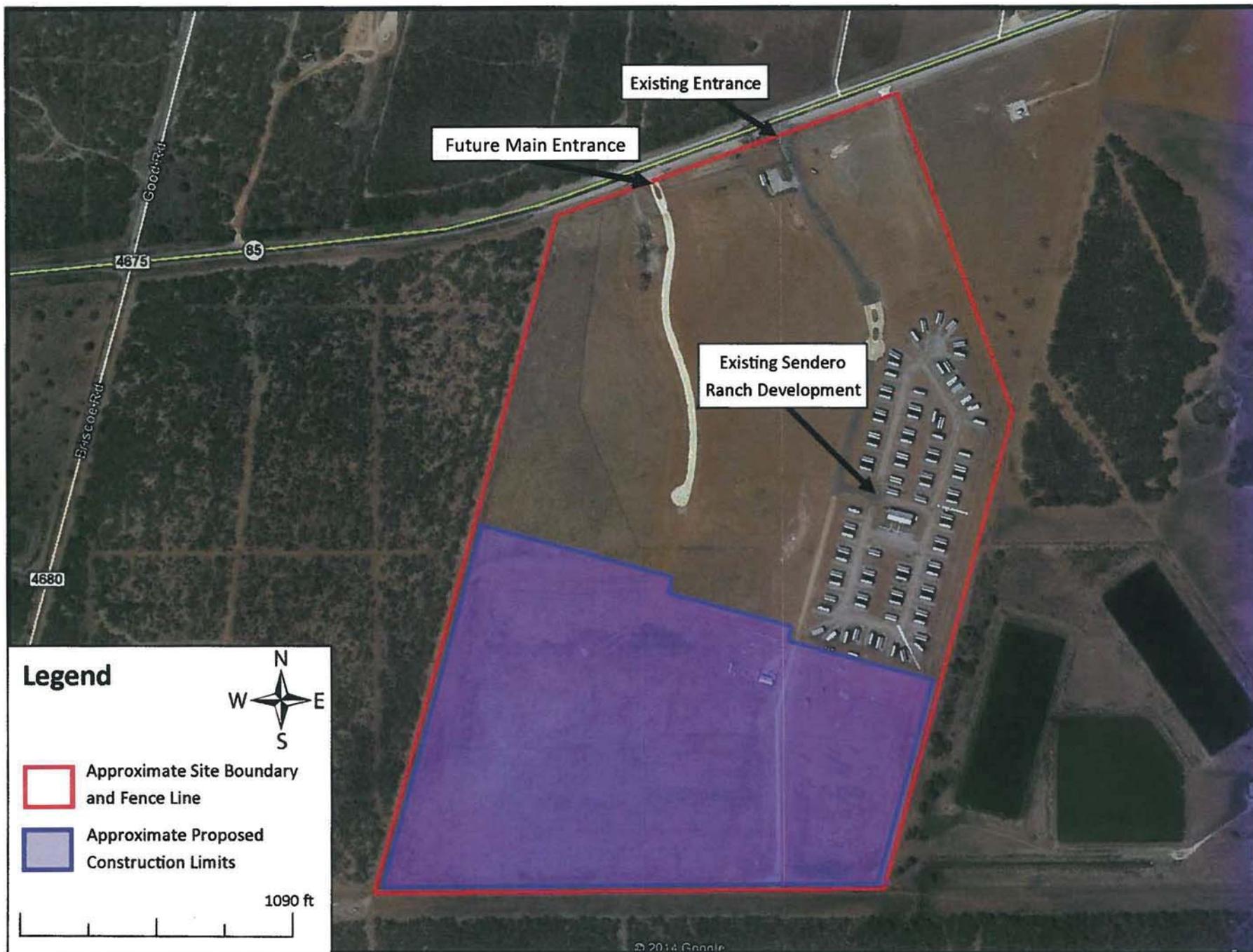
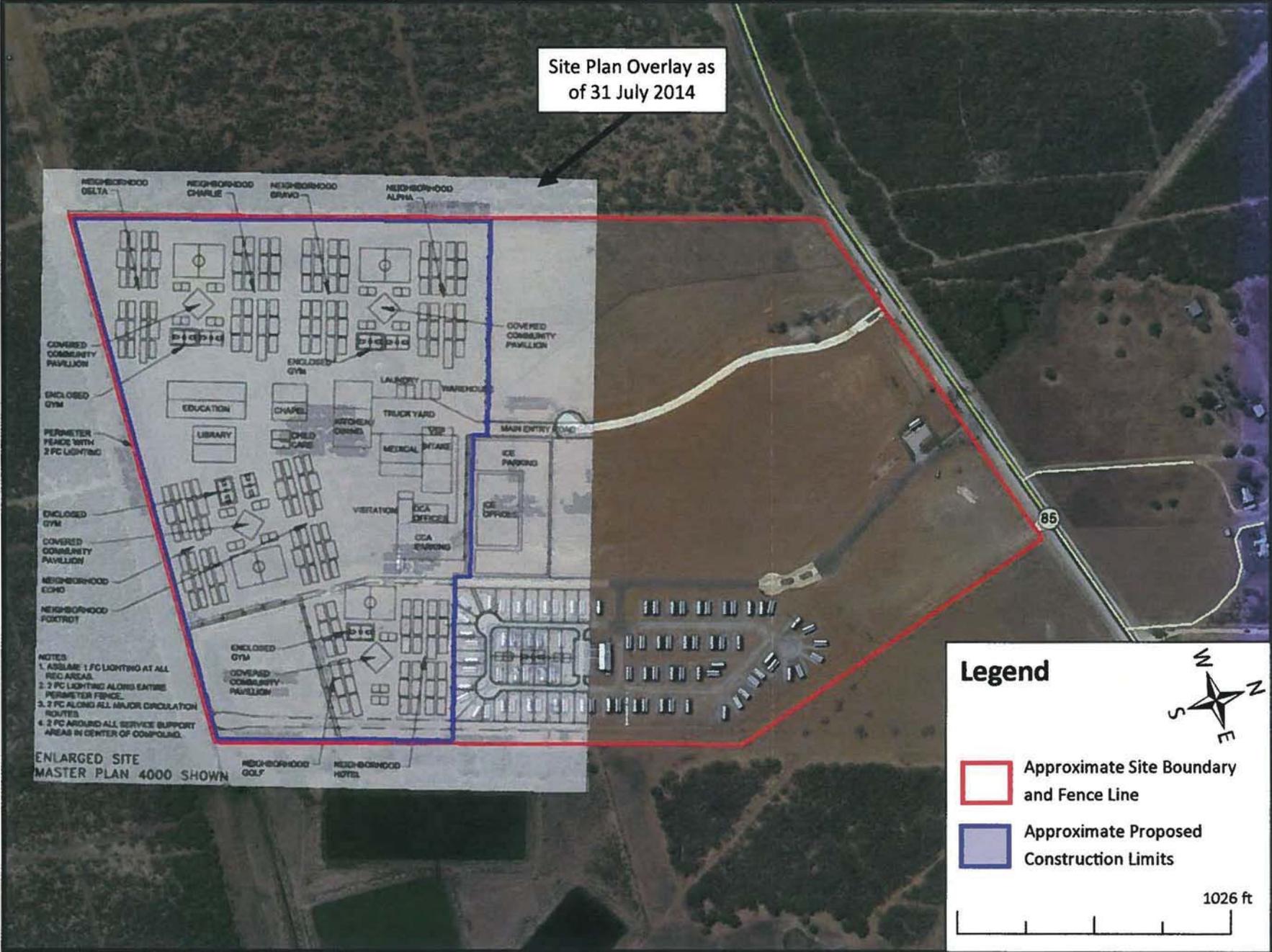


Figure 4: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Plan Overlay Map





Carlos A. Garcia
COUNTY JUDGE

OFFICE OF THE FRIO COUNTY JUDGE

OFFICE: (830) 334-2154 • FAX: (830) 334-0010 • Email: friojudge@hotmail.com
500 E. SAN ANTONIO ST. • BOX 7 • PEARSALL, TEXAS 78061

August 27, 2014

Via E-Mail

Elizabeth L. Kennett
Environmental Program Manager
DHS U.S. Immigration and Customs Enforcement
500 12th Street SW, Stop 5704
Washington, D.C. 20536
Elizabeth.l.kennett@ice.dhs.gov

Re: Preparation of a Supplemental Environmental Assessment (SEA)
for United States (U.S.) Immigration and Customs Enforcement
(ICE) in Frio County.

Ms. Kennett:

Thank you for contacting me regarding the proposed development being considered by your department. Please be aware that Frio County has no objections, opposition, or concerns about the proposed project. Should you require anything else from the county, please do not hesitate to contact me.

Sincerely,

Carlos A. Garcia

CAG/se

xc: files

U.S. Department of Homeland Security
500 12th Street S.W.
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

August 22, 2014

RE: Preparation of a Supplemental Environmental Assessment (SEA) for United States (U.S.) Immigration and Customs Enforcement (ICE) in Frio County, Dilley, Texas

Honorable Carlos A. Garcia
Judge
500 E. San Antonio St., Box 7
Pearsall, TX 78061
(830) 334-2154

Dear Mr. Garcia,

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Sincerely,



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DHS U.S. Immigration and Customs Enforcement
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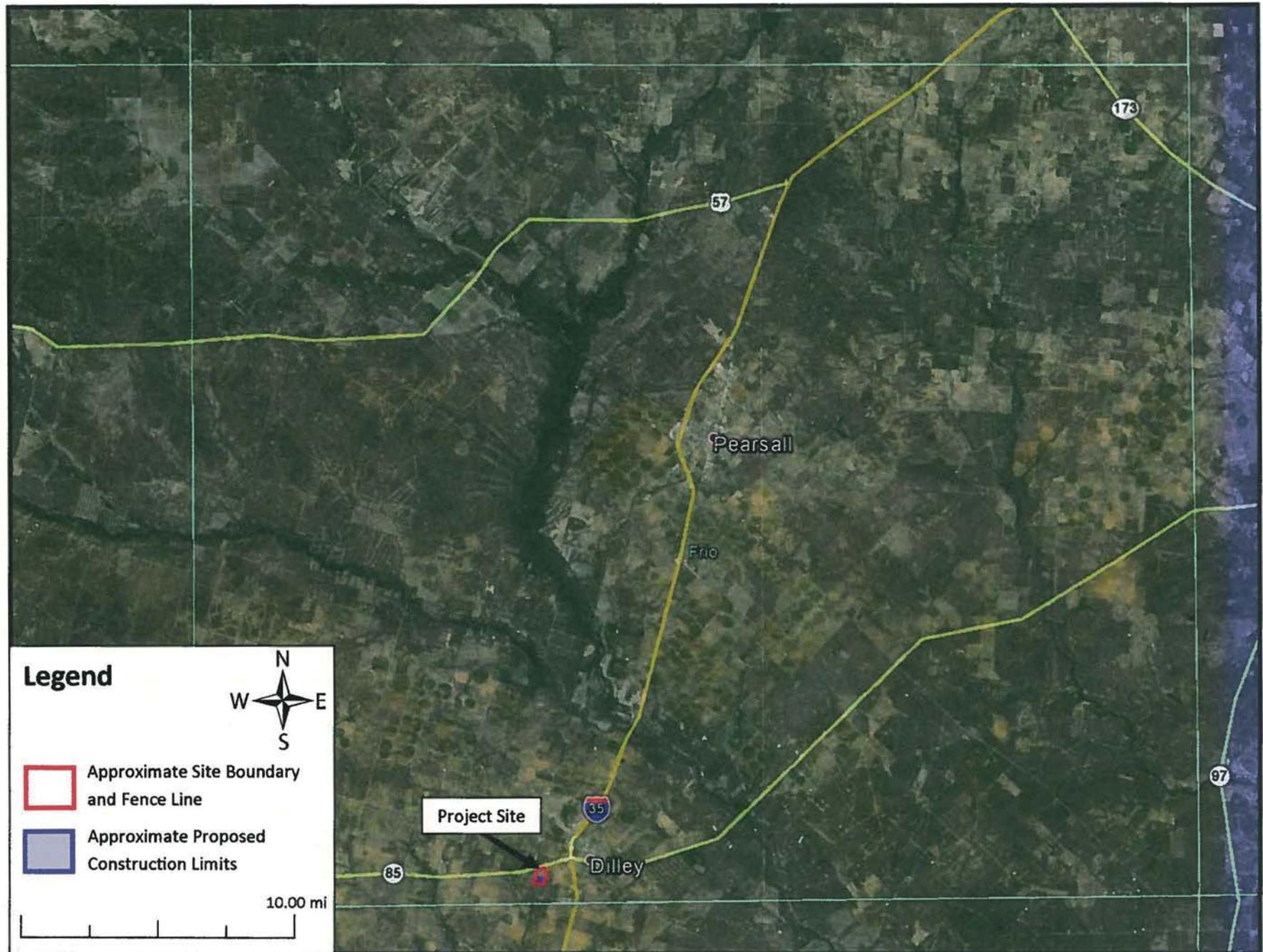


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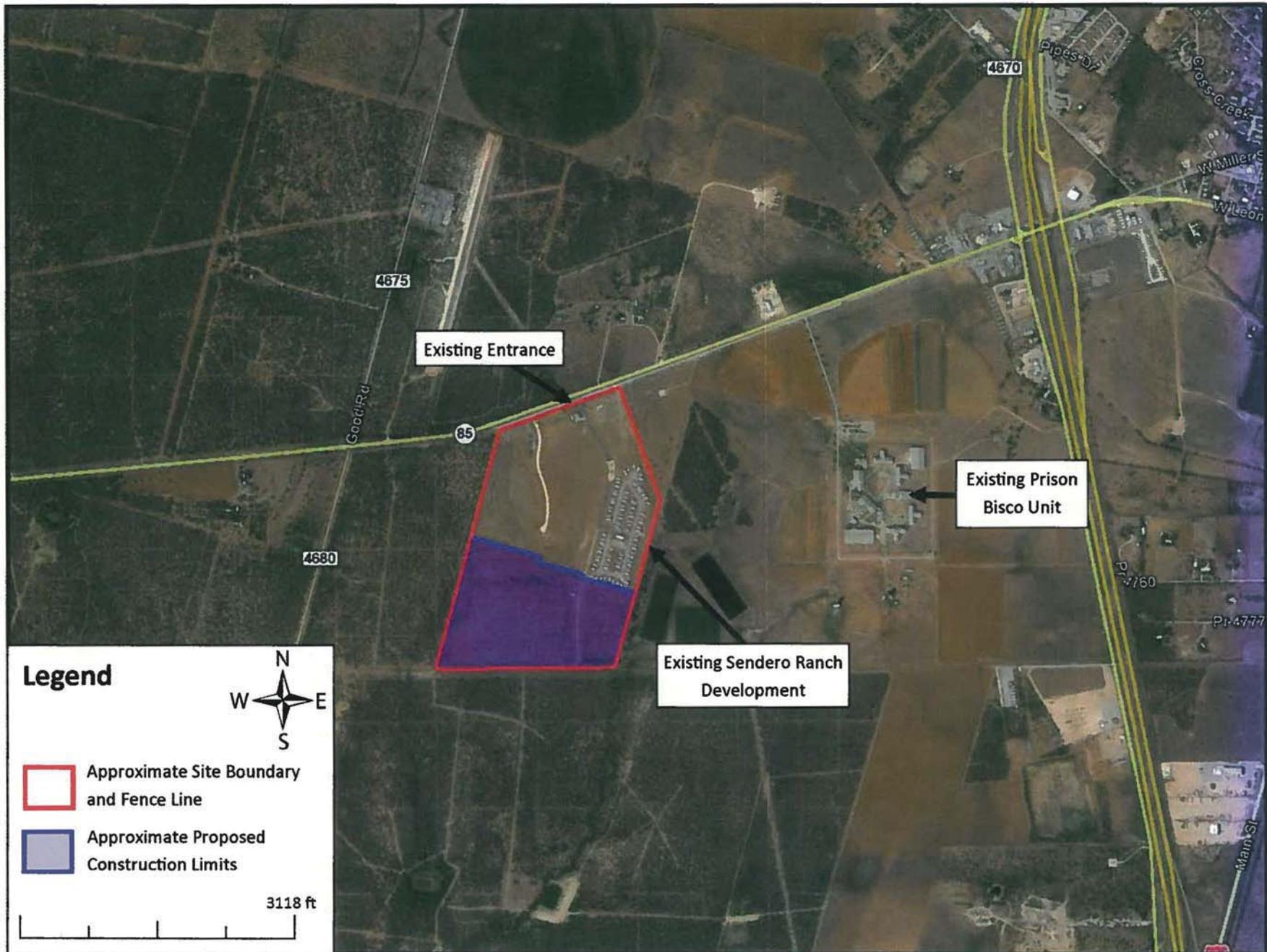


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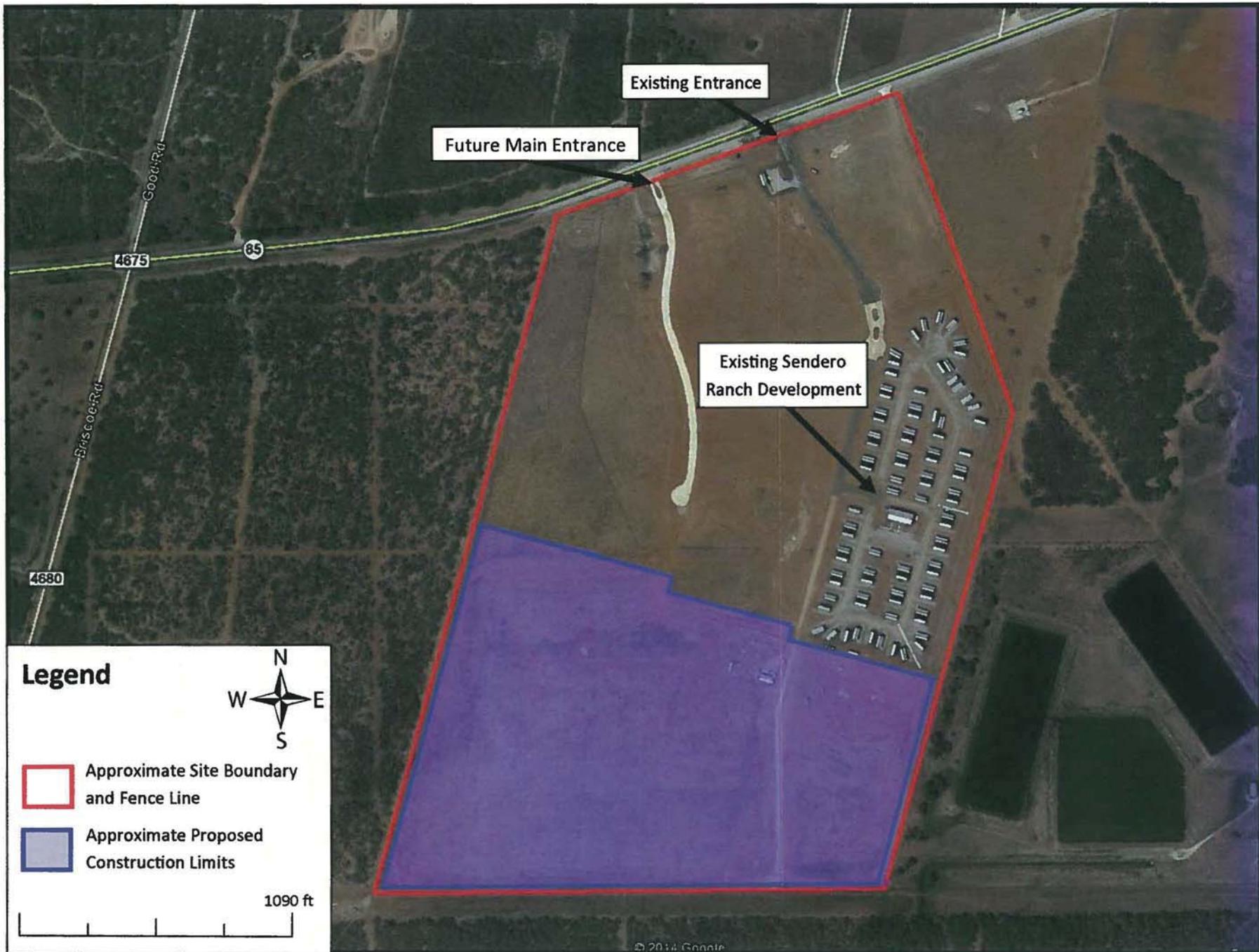
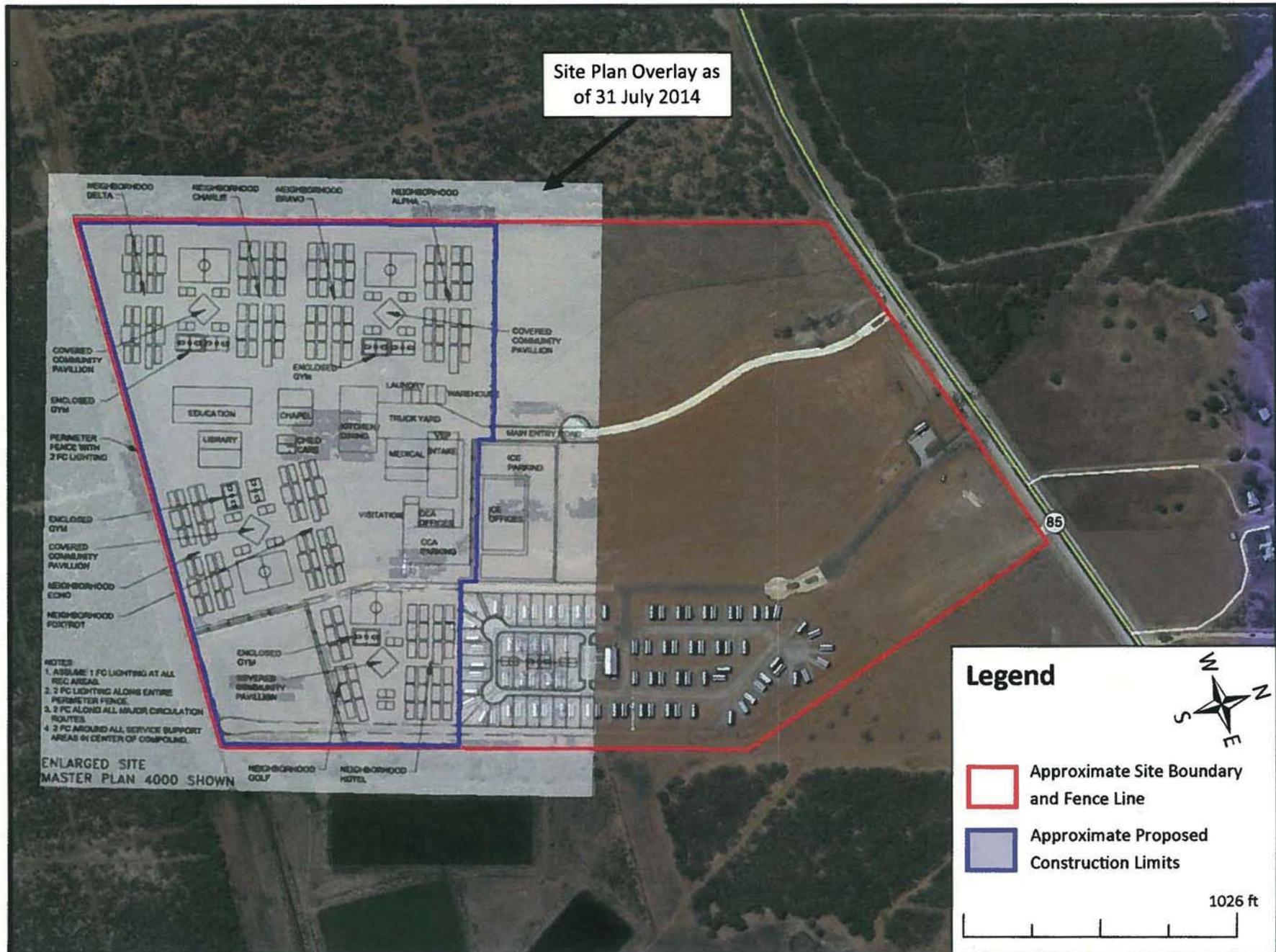


Figure 4: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Plan Overlay Map



Appendix C—Criteria Air and GHG Emission Calculations

Combustion Emissions Construction Equipment

Project Action Assumptions					
Construction Equipment Type	No. of Units	HP Rated	hours/day	Days/year	Total HP-Hours
Water Truck	1	300	8	365	876,000
Diesel Road Compactors	1	100	8	60	48,000
Diesel Dump Truck	1	300	8	60	144,000
Diesel Excavator	1	300	8	60	144,000
Diesel Hole Trenchers	1	175	8	60	84,000
Diesel Bore/Drill Rigs	1	300	8	60	144,000
Diesel Cement & Mortar Mixers	1	300	8	60	144,000
Diesel Cranes	1	175	8	60	84,000
Diesel Graders	1	300	8	60	144,000
Diesel Tractors/Loaders/Backhoes	1	100	8	60	48,000
Diesel Bulldozers	1	300	8	60	144,000
Diesel Front-End Loaders	1	300	8	60	144,000
Diesel Forklifts	2	100	8	60	96,000
Diesel Generator	1	1000	8	21	168,000

Emission Factors (grams/HP-hour)							
Construction Equipment Type	VOC	CO	NO _x	PM-10	PM-2.5	SO ₂	CO ₂
Water Truck	0.44	2.07	5.49	0.41	0.4	0.74	536
Diesel Road Compactors	0.37	1.48	4.9	0.34	0.33	0.74	536.2
Diesel Dump Truck	0.44	2.07	5.49	0.41	0.4	0.74	536
Diesel Excavator	0.34	1.3	4.6	0.32	0.31	0.74	536.3
Diesel Hole Trenchers	0.51	2.44	5.81	0.46	0.44	0.74	535.8
Diesel Bore/Drill Rigs	0.6	2.29	7.15	0.5	0.49	0.73	529.7
Diesel Cement & Mortar Mixers	0.61	2.32	7.28	0.48	0.47	0.73	529.7
Diesel Cranes	0.44	1.3	5.72	0.34	0.33	0.73	530.2
Diesel Graders	0.35	1.36	4.73	0.33	0.32	0.74	536.3
Diesel Tractors/Loaders/Backhoes	1.85	8.21	7.22	1.37	1.33	0.95	691.1
Diesel Bulldozers	0.36	1.38	4.76	0.33	0.32	0.74	536.3
Diesel Front-End Loaders	0.38	1.55	5	0.35	0.34	0.74	536.2
Diesel Forklifts	1.98	7.76	8.56	1.39	1.35	0.95	690.8
Diesel Generator Set	1.21	3.76	5.97	0.73	0.71	0.81	581.3

Emission Calculations (tons/year)							
Construction Equipment Type	VOC	CO	NOx	PM-10	PM-2.5	SO2	CO2
Water Truck	0.425	1.998	5.300	0.396	0.386	0.714	517.429
Diesel Road Compactors	0.020	0.078	0.259	0.018	0.017	0.039	28.363
Diesel Dump Truck	0.070	0.328	0.871	0.065	0.063	0.117	85.057
Diesel Excavator	0.054	0.206	0.730	0.051	0.049	0.117	85.104
Diesel Hole Trenchers	0.047	0.226	0.538	0.043	0.041	0.069	49.598
Diesel Bore/Drill Rigs	0.095	0.363	1.135	0.079	0.078	0.116	84.057
Diesel Cement & Mortar Mixers	0.097	0.368	1.155	0.076	0.075	0.116	84.057
Diesel Cranes	0.041	0.120	0.529	0.031	0.031	0.068	49.080
Diesel Graders	0.056	0.216	0.751	0.052	0.051	0.117	85.104
Diesel Tractors/Loaders/Backhoes	0.098	0.434	0.382	0.072	0.070	0.050	36.556
Diesel Bulldozers	0.057	0.219	0.755	0.052	0.051	0.117	85.104
Diesel Front-End Loaders	0.060	0.246	0.793	0.056	0.054	0.117	85.089
Diesel Forklifts	0.209	0.821	0.906	0.147	0.143	0.101	73.081
Diesel Generator Set	0.224	0.696	1.105	0.135	0.131	0.150	107.620
Total Emissions (tons/year)	1.552	6.321	15.209	1.274	1.240	2.009	1455.299

Conversions	
(US) tons/gram	1.102E-06

Assumptions: Emission factors were generated using USEPA's preferred model for nonroad sources, the NONROAD 2008 model. Construction of the STFRC is expected to last two months. The water truck is assumed to operate on a year round basis to control for dust.

Transportation Air Emissions – Construction Activities (Commuting and Delivery of Materials)

Project Action Assumptions					
Source	Fuel Type	No. of vehicles	Miles driven per day	Days of travel per year	Miles driven per year
Employee Passenger cars	Gasoline	10	80	60	48,000
Employee Trucks	Gasoline	15	80	60	72,000
Light commercial truck	Diesel	2	50	60	6,000
Short-haul truck	Diesel	4	50	60	12,000
Long-haul truck	Diesel	1	50	60	3,000

Emission Factors (MOVES 2010 Emission Rates) (grams/mile)							
Source	VOC	CO	NO _x	PM-10	PM-2.5	SO ₂	CO ₂ and CO ₂ equivalents
Employee Passenger cars	8.497	2.892	0.576	0.019	0.018	0.005	320
Employee Trucks	3.645	5.449	1.168	0.027	0.025	0.007	439
Light commercial truck	4.46	2.158	2.986	0.164	0.19	0.005	609
Short-haul truck	2.438	2.273	6.095	0.27	0.313	0.007	929
Long-haul truck	2.519	3.61	14.776	0.625	0.726	0.016	2020

Total Emission for On-road Commuting During Operations (tons/year)							
Source	VOC	CO	NO _x	PM-10	PM-2.5	SO ₂	CO ₂ and CO ₂ equivalents
Employee Passenger cars	0.450	0.153	0.030	0.001	0.001	0.000	16.932
Employee Trucks	0.289	0.432	0.093	0.002	0.002	0.001	34.842
Light commercial truck	0.029	0.014	0.020	0.001	0.001	0.000	4.028
Short-haul truck	0.032	0.030	0.081	0.004	0.004	0.000	12.289
Long-haul truck	0.008	0.012	0.049	0.002	0.002	0.000	6.680
Total Emissions	0.809	0.642	0.272	0.010	0.011	0.001	74.770

Conversion Factor	
Grams/Ton	907184.74

Emission factors were generated by USEPA preferred model MOVES2010. MOVES simulates daily motor vehicle operations and produces emission rates. MOVES emission rates include sources from engine combustion, tire wear, break wear, evaporative fuel permeation, vapor venting and leaking (running and parking), and crankcase loss. Emission rates are daily averages for each of the criteria pollutants. The averages are a combination of vehicle operations such as: stop and go, highway travel, acceleration at on-ramps, parking, start-up, extended idle, etc.

<http://www.epa.gov/otaq/models/moves/>

On-road Transportation Air Emissions - Operations

Project Action Assumptions					
Source	Fuel Type	No. of vehicles	Miles driven per day	Days of travel per year	Miles driven per year
Employee Passenger cars	Gasoline	100	40	365	1,460,000
Employee Trucks	Gasoline	100	40	365	1,460,000
Visitor Passenger cars	Gasoline	10	85	260	221,000
Visitor Passenger trucks	Gasoline	10	85	260	221,000
Light commercial truck (bus)	Diesel	1	140	260	36,400
Short-haul truck	Diesel	4	40	365	58,400
Long-haul truck	Diesel	1	80	104	8,320

Emission Factors (MOVES 2010 Emission Rates) (grams/mile)						
Source	VOC	CO	NO _x	PM-10	PM-2.5	SO ₂
Employee Passenger cars	8.497	2.892	0.576	0.019	0.018	0.005
Employee Trucks	3.645	5.449	1.168	0.027	0.025	0.007
Visitor Passenger cars	8.497	2.892	0.576	0.019	0.018	0.005
Visitor Passenger trucks	3.645	5.449	1.168	0.027	0.025	0.007
Light commercial truck (bus)	4.46	2.158	2.986	0.164	0.19	0.005
Short-haul truck	2.438	2.273	6.095	0.27	0.313	0.007
Long-haul truck	2.519	3.61	14.776	0.625	0.726	0.016

Total Emission for On-road Commuting During Operations (tons/year)						
Source	VOC	CO	NO _x	PM-10	PM-2.5	SO ₂
Employee Passenger cars	13.675	4.654	0.927	0.031	0.029	0.008
Employee Trucks	5.866	1.327	1.880	0.043	0.040	0.011
Visitor Passenger cars	2.070	0.705	0.140	0.005	0.004	0.001
Visitor Passenger trucks	0.888	0.219	0.285	0.007	0.006	0.002
Light commercial truck	0.179	0.139	0.120	0.007	0.008	0.000
Short-haul truck	0.157	0.146	0.392	0.017	0.020	0.000
Long-haul truck	0.023	0.033	0.136	0.006	0.007	0.000
Total Emissions	22.858	7.223	3.879	0.115	0.114	0.023

Conversion Factor	
Grams/Ton	907184.74

Emission factors were generated by USEPA preferred model MOVES2010. MOVES simulates daily motor vehicle operations and produces emission rates. MOVES emission rates include sources from engine combustion, tire wear, brake wear, evaporative fuel permeation, vapor venting and leaking (running and parking), and crankcase loss. Emission rates are daily averages for each of the criteria pollutants. The averages are a combination of vehicle operations such as: stop and go, highway travel, acceleration at on-ramps, parking, start-up, extended idle, etc.

<http://www.epa.gov/otaq/models/moves/>

Assumptions: It is assumed that many of the workers at CCA will carpool or vanpool to work as a result of them sharing the same living quarters in nearby towns of Pearsall and Cotulla. Four trucks are expected to arrive daily with supplies and to remove waste from the STFRC.

Emergency Generators Emissions – Operations

Project Action Assumptions				
Equipment Type	No. of Units	HP Rated	hours/year	Total HP-Hours/year
Diesel Generator	10	1000	170	1,700,000

Emission Factors (lbs/hp-hr)					
NO _x	VOC	CO	PM 10	PM 2.5	SO _x
0.024	7.05E-04	5.50E-03	1.46E-04	1.22E-04	8.09E-03

Total Emissions (tons/year)						
	NO _x	VOC	CO	PM 10	PM 2.5	SO _x
2014 (3 months)	5.1	0.1498125	1.16875	0.031025	0.025925	1.719125
2015	20.4	0.59925	4.675	0.1241	0.1037	6.8765

Assumptions: Projected emissions from the generators were estimated using EPA’s AP-42 emissions factors for stationary internal combustion sources (USEPA, 2009). The STFRC is expected to have 10 emergency generators onsite. The generators are expected to be exercised one to two hours per month. The calculation also accounts for two 72 hour emergencies when the generators will have to be operated continuously.

Permitting: As authorized by the Clean Air Act (CAA) and per Title 30, Texas Administrative Code (TAC), Section 116.110 any person who plans to construct a new facility or engage in the modification of an existing facility which emits air contaminants into the atmosphere is required to obtain a new source air permit from the Texas Commission on Environmental Quality (TCEQ). For the STFRC emission of air contaminants includes the operation of emergency generators. The STFRC emergency generators should be able to qualify for Permit by Rule (PBR) as allowed by 30 TAC, Section 106.511 and Section 106.4.

To qualify for this PBR, The STFRC must meet the general conditions stated in 30 TAC [Section 106.4](#).

(a) To qualify for a permit by rule, the following general requirements must be met.

(1) Total actual emissions authorized under permit by rule from the facility shall not exceed the following limits, as applicable:

(A) 250 tons per year (tpy) of carbon monoxide (CO) or nitrogen oxides (NO_x);

(B) 25 tpy of volatile organic compounds (VOC), sulfur dioxide (SO₂), or inhalable particulate matter (PM);

(C) 15 tpy of particulate matter with diameters of 10 microns or less (PM₁₀);

(D) 10 tpy of particulate matter with diameters of 2.5 microns or less (PM_{2.5}); or

(E) 25 tpy of any other air contaminant except:

(i) water, nitrogen, ethane, hydrogen, and oxygen; and

(ii) notwithstanding any provision in any specific permit by rule to the contrary, greenhouse gases as defined in §101.1 of this title (relating to Definitions).

Summary of Emissions – Total

Year	Pollutant	Total Emissions (Tons/Year)
2014	Carbon Monoxide (CO)	9.94
	Volatile Organic Compounds (VOCs)	8.23
	Nitrogen Oxides (NOx)	21.55
	PM-10	11.79
	PM-2.5	2.35
	Sulfur Dioxides (SO2)	3.74
2015	Carbon Monoxide (CO)	11.90
	Volatile Organic Compounds (VOCs)	23.46
	Nitrogen Oxides (NOx)	24.28
	PM-10	0.24
	PM-2.5	0.22
	Sulfur Dioxides (SO2)	6.90

Assumptions: For the year 2014 the total emission calculation includes two months of construction time to construct the STFRC and three months of STFRC operation. The 2015 calculation includes one full year of emissions from operating the STFRC. Construction emissions include calculations for fugitive dust, operation of construction equipment, and construction worker commutes and deliveries. Operation emissions include employee commuting, deliveries to the STFRC, and onsite emergency generators.

GHG Emissions from Construction

Temporary Scope 1 GHG emissions would be generated by construction vehicles and equipment (i.e., generators) under the Proposed Action and Scope 3 emissions would be generated from worker commuting. Emission factors for off-road construction equipment were estimated using USEPA's NONROAD2008a core module for mobile combustion sources. USEPA's preferred on-road vehicle emission model MOVES2010a was used to calculate construction worker's commuter emissions. Construction is expected to last two months and is summarized below.

GHG Emissions from Construction Activities under the Proposed Action

Type	MT CO ₂	MT CO ₂ e	Total Quantity Emitted (MT CO ₂ e)
Construction Vehicles (Scope 1)	1,320	4,330	5,650
Commuting (Scope 3)	N/A	68	68
Total	1,320	4,398	5,718

GHG Emissions from Operations

The table below summarizes estimated annual greenhouse gas (GHG) emissions associated with operation of the facility. Emissions were calculated using the Department of Energy (DOE) Federal Energy Management Program (FEMP) FY 2013 GHG and Sustainability workbook, which is based on the GHG Protocol for the U.S. Public Sector. The total direct emissions, also known as Scope 1 emissions, are significantly below the significance threshold of 25,000 metric tons of carbon dioxide equivalent (MTCO₂e).

GMG Emissions Summary

Scope and Category	Total Quantity Emitted (MT CO ₂ e)
Scope 1: Stationary Combustion: EISA 2007 Goal Subject and Excluded Building Energy Consumption	770
Total Scope 1 Direct Emissions	770
Scope 2: Purchased Electricity Consumption	10,700
Total Scope 2 Indirect Emissions	10,700
Scope 3: Transmission and Distribution (T&D) Losses	700
Scope 3: Employee Commuting	1,600
Scope 3: Contracted Wastewater Treatment	20
Scope 3: Contracted Municipal Solid Waste Disposal	1,500
Total Scope 3 Indirect Emissions	3,820

Direct Emissions (Scope 1)

The only direct emissions anticipated during on-site operations are from the combustion of fuel in emergency generators. The site will not use natural gas or other combustible fuels to power operations. ICE estimated the quantity of fuel to be used in generators each year using the assumptions listed below, and entered the total quantity into Tab 3.2 of the FEMP GHG workbook to calculate the associated emissions. The total estimated quantity of fuel consumed annually in emergency generators is 75,600 gallons, resulting in 774 MTCO₂e.

Scope 1 Assumptions:

- There will be 10 on-site emergency generators;
- Each generator will be exercised monthly for two hours;
- The generators will be used for backup power twice per year, with each use lasting 72 hours; and
- Each generator burns an average of 45 gallons of fuel per hour while in use.

Indirect Emissions (Scope 2)

The only Scope 2 indirect emissions anticipated during on-site operations are from the consumption of purchased electricity. ICE estimated the quantity of electricity to be purchased each year using the assumptions below, and entered the total quantity and associated zip code (78017) into Tab 1.2 of the FEMP GHG workbook to calculate the associated emissions. The total estimated quantity of electricity purchased annually is 19,800,000 kilowatt-hours (kWh), resulting in approximately 10,700 MTCO₂e.

Scope 2 Assumptions:

- Per capita energy consumption at the facility will be similar to per capita energy consumption at ICE's service processing centers in El Paso, Texas and Port Isabel, Texas;
- All energy consumed, excluding fuel oil used in emergency generators, will be in the form of purchased electricity; and
- The average effective population at the facility will be 2,600, which includes 2,400 residents and 200 staff. The estimate of 200 on-site staff assumes that there will be 600 total staff rotating in three, six-hour shifts.

Indirect Emissions (Scope 3)

Scope 3 indirect emissions categories estimated include electricity transmission and distribution (T&D) losses, employee commuting, contracted wastewater treatment, and contracted solid waste disposal.

Emissions from electricity T&D losses are automatically calculated in the FEMP GHG workbook in Tab 3.13 based on the estimated quantity of purchased electricity input to Tab 1.2. Estimated emissions are approximately 702 MTCO₂e.

Employee commuting emissions are calculated by entering the commute distance traveled per day, vehicle type, and fuel type for all commuting vehicles into the FEMP GHG workbook. Estimated emissions from commuting are approximately 1,600 MTCO₂e. The table below shows the assumptions used for input to the workbook; where the vehicle types below do not match up directly with the FEMP GHG vehicle type classifications, they are mapped to the closest available option in the spreadsheet.

Vehicle Types	Fuel Type	No. of Vehicles	Daily Miles Driven	Travel Days	Miles per Year
Employee Passenger Car	Gasoline	100	40	365	1,460,000
Employee Trucks	Gasoline	100	40	365	1,460,000
Visitor Passenger Car	Gasoline	10	85	260	221,000
Visitor Truck	Gasoline	10	85	260	221,000
Light Commercial Truck	Diesel	1	140	260	36,400
Short-Haul Truck	Diesel	4	40	365	58,400
Long-Haul Truck	Diesel	1	80	104	8,320

Contracted wastewater treatment emissions are calculated in the FEMP GHG workbook based on the total number of personnel served, which is assumed to be 2,600 (as described in the Scope 2 assumptions). Estimated emissions are approximately 20 MTCO₂e.

Contracted municipal solid waste disposal emissions are calculated by entering the total quantity of solid waste disposed of off-site annually into the FEMP GHG workbook. The total quantity of solid waste disposed of is calculated by assuming each person disposes of 4.38 pounds of waste per day, which is the average per capita waste disposal in the U.S. for 2012 (the most recent data currently available), found in EPA's *Municipal Solid Waste Generation, Recycling, and Disposal in the United States: Facts and Figures for 2012*. Using this average results in a total estimated solid waste disposal of 2,078 tons per year for the full site. Estimated emissions from contracted solid waste disposal are approximately 1,518 MTCO₂e.

Appendix D—Farmland Conversion Impact Documentation



Natural Resources
Conservation Service

State Office

101 S. Main Street
Temple, TX 76501
Voice 254.742.9800
Fax 254.742.9819

August 27, 2014

U.S. Immigration and Customs Enforcement
500 12th Street SW, Stop 5704
Washington, DC 20536

Attention: Elizabeth Kennett

Subject: LNU-Farmland Protection
Proposed South Texas Family Residential Center
Frio County, Texas

We have reviewed the information provided in your correspondence dated August 22, 2014 concerning the family residential center in Frio County, Texas. This review is part of the National Environmental Policy Act (NEPA) evaluation for United States Immigration and Customs Enforcement (ICE). We have evaluated the proposed site as required by the Farmland Protection Policy Act (FPPA).

The proposed project does contain soils classified as Important Farmland Soils. We have completed Parts II, IV, and V of the Farmland Conversion Impact Rating (AD-1006). The relative value of farmland in Part V should be used in your calculation for Part VII.

To meet reporting requirements of section 1546 of the Act, 7 U.S.C 4207, and for data collection purposes, after your agency has made a final decision on a project in which one or more of the alternative sites contain farmland subject to the FPPA, NRCS is requesting a return copy of the Form AD-1006, which indicates the final decision. We urge you to use accepted erosion control methods during all phases of construction.

If you have any questions, please contact me at (254) 742-9826, Fax (254) 742-9859 or by email at micki.yoder@tx.usda.gov.

Sincerely,

Micki Yoder
NRCS Soil Conservationist

Attachment

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request August 22, 2014			
Name of Project South Texas Family Residential Center		Federal Agency Involved ICE			
Proposed Land Use		County and State Frio County, Texas			
PART II (To be completed by NRCS)		Date Request Received By NRCS August 22, 2014			
Does the site contain prime, unique, statewide or local important farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated 60,494	Average Farm Size 1,096
Major Crop(s) Wheat	Farmable Land In Govt. Jurisdiction Acres: 594,762 % 82	Amount of Farmland As Defined in FPPA Acres: 575,527 %79			
Name of Land Evaluation System Used LESA	Name of State or Local Site Assessment System N/A	Date Land Evaluation Returned by NRCS August 27, 2014			
PART III (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly		51.5			
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site		51.5	0.0	0.0	0.0
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland		32.9			
B. Total Acres Statewide Important or Local Important Farmland		18.6			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted		0.0089			
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		33			
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)		62			
PART VI (To be completed by Federal Agency) Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>		Maximum Points	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		160			
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland <i>(From Part V)</i>		100	62		
Total Site Assessment <i>(From Part VI above or local site assessment)</i>		160			
TOTAL POINTS (Total of above 2 lines)		260			
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Reason For Selection:					
Name of Federal agency representative completing this form:					Date:

(See Instructions on reverse side)

Farmland Classification—Frio County, Texas
(ICE Project: Dilley, TX)



Map Scale: 1:3,900 if printed on A landscape (11" x 8.5") sheet.



Farmland Classification—Frio County, Texas
(ICE Project: Dilley, TX)

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

Soil Rating Polygons

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
-  Farmland of local importance
-  Farmland of unique importance
-  Not rated or not available

Soil Rating Lines

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained

-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60

-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
-  Farmland of local importance
-  Farmland of unique importance
-  Not rated or not available

Soil Rating Points

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season

-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
-  Farmland of local importance
-  Farmland of unique importance
-  Not rated or not available

Water Features

MAP INFORMATION

-  Streams and Canals
- Transportation**
-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads
- Background**
-  Aerial Photography

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Frio County, Texas
Survey Area Data: Version 11, Dec 18, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 24, 2011—May 25, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Farmland Classification

Farmland Classification— Summary by Map Unit — Frio County, Texas (TX163)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
AmA	Amphion sandy clay loam, 0 to 1 percent slopes	All areas are prime farmland	15.2	29.5%
BrB	Brystal very fine sandy loam, 1 to 3 percent slopes	All areas are prime farmland	10.4	20.2%
CaB	Caid very fine sandy loam, 1 to 3 percent slopes	All areas are prime farmland	7.2	14.0%
DvB	Duval very fine sandy loam, 1 to 3 percent slopes	Prime farmland if irrigated	8.9	17.2%
MgB	Miguel very fine sandy loam, 1 to 3 percent slopes	Prime farmland if irrigated	5.5	10.6%
Pe	Poteet very fine sandy loam, occasionally flooded	All areas are prime farmland	0.1	0.3%
WeA	Webb very fine sandy loam, 0 to 1 percent slopes	Prime farmland if irrigated	4.2	8.2%
Totals for Area of Interest			51.4	100.0%

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request August 22, 2014				
Name of Project South Texas Family Residential Center		Federal Agency Involved ICE				
Proposed Land Use Residential Center		County and State Frio County, Texas				
PART II (To be completed by NRCS)		Date Request Received By NRCS August 22, 2014		Person Completing Form:		
Does the site contain Prime, Unique, Statewide or Local Important Farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated 60,494	Average Farm Size 1,096	
Major Crop(s) Wheat	Farmable Land In Govt. Jurisdiction Acres: 594,762 82 %	Amount of Farmland As Defined in FPPA Acres: 575,527 79 %				
Name of Land Evaluation System Used LESA	Name of State or Local Site Assessment System N/A	Date Land Evaluation Returned by NRCS August 27, 2014				
PART III (To be completed by Federal Agency)		Alternative Site Rating				
		Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly		51.5				
B. Total Acres To Be Converted Indirectly						
C. Total Acres In Site		51.5	0.0	0.0	0.0	
PART IV (To be completed by NRCS) Land Evaluation Information						
A. Total Acres Prime And Unique Farmland		32.9				
B. Total Acres Statewide Important or Local Important Farmland		18.6				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted		0.0089				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		33				
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)		62				
PART VI (To be completed by Federal Agency) Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>		Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use		(15)	15			
2. Perimeter In Non-urban Use		(10)	10			
3. Percent Of Site Being Farmed		(20)	0			
4. Protection Provided By State and Local Government		(20)	0			
5. Distance From Urban Built-up Area		(15)	10			
6. Distance To Urban Support Services		(15)	0			
7. Size Of Present Farm Unit Compared To Average		(10)	0			
8. Creation Of Non-farmable Farmland		(10)	10			
9. Availability Of Farm Support Services		(5)	5			
10. On-Farm Investments		(20)	0			
11. Effects Of Conversion On Farm Support Services		(10)	0			
12. Compatibility With Existing Agricultural Use		(10)	0			
TOTAL SITE ASSESSMENT POINTS		160	50	0	0	0
PART VII (To be completed by Federal Agency)						
Relative Value Of Farmland (From Part V)		100	62	0	0	0
Total Site Assessment (From Part VI above or local site assessment)		160	50	0	0	0
TOTAL POINTS (Total of above 2 lines)		260	112	0	0	0
Site Selected: A		Date Of Selection August 28, 2014		Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
Reason For Selection: In accordance with 7 CFR 658.4 (c) (2), Sites receiving a total score of less than 160 need not be given further consideration for protection and no additional sites need to be evaluated.						
Name of Federal agency representative completing this form: <i>Elizabeth Kennett</i>					Date: 8/28/14	

(See Instructions on reverse side)

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map, or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

(For Federal Agency)

Part I: When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

Part III: When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

Part VI: Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

Part VII: In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.