



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

April 29, 2022

The Honorable Bernard F Barcena Jr.
Lipan Apache Tribe of Texas
PO Box 5218
McAllen, TX 78502
bbarcena@lipanapache.org

SENT VIA MAIL AND EMAIL

SUBJECT: Notification of CBP Proposed Undertaking – Construction of Border Barrier and Related System Elements in Laredo, Texas

Dear Chairman Barcena:

U.S. Customs and Border Protection (CBP) is writing to notify you of a proposed undertaking involving the construction, operation, and maintenance of border barrier and related system elements in the United States Border Patrol (USBP) Laredo Sector in Webb and Zapata counties, Texas.

In fiscal year 2020, Congress appropriated funds for the construction of barrier system in high priority locations on the Southwest border. Pub. L. 116-13, Div. D, Title II, § 209 (Dec. 20, 2019). Consistent with the *DHS Border Wall Plan Pursuant to Presidential Proclamation 10142* (June 11, 2021), CBP is conducting environmental planning concerning the proposed construction. The information provided will inform the development of an Environmental Assessment (EA). The development of the EA will not entail any construction of new border barrier or permanent land acquisition.

Description of Undertaking

The proposed undertaking would involve the construction, operation, and maintenance of up to approximately 69 miles of new border barrier and related system elements in the USBP Laredo Sector in Webb and Zapata counties, Texas. Maps of the areas of proposed undertaking are included in an attachment to this letter. The design of the border barrier could include up to 30-foot high, six-inch square steel bollards spaced approximately four inches apart and fitted with a five-foot anti-climb plate. Other system elements of the proposed border barrier system could include the following:

- Up to 150-foot-wide enforcement zone
- Up to 50-foot-wide maintenance road
- Lighting
- Remote Video Surveillance System (RVSS) towers
- Gates
- Cameras
- Shelters

- Levee (in areas where earthen levee exists)
- Erosion control and drainage
- Access Roads

Area of Potential Effects

Pursuant to National Historic Preservation Act regulations, 36 C.F.R §§ 800.4(a)(1) and 800.16(d), the proposed Area of Potential Effects (APE) for both above-ground and below-ground and historic or cultural resources is approximately 69 miles long and 200 feet wide. Ground disturbance would be required along the entire length of the barrier for installation of the barrier, communications fiber and electrical systems, linear ground detection systems, and underground conduit for the lighting.

Identification and Evaluation of Historic Resources

Through prior cultural resources surveys and a review of cultural resource studies, there are 39 historic or cultural resources or potentially eligible sites for inclusion on the National Register of Historic Places (NRHP) that have been identified in the proposed APE:

Site Number ¹	Field ID	Site Type	Eligibility Recommendation
41WB11		Prehistoric; Historic early 19 th century to mid-20 th century	Eligible (Historic)
41WB12		Prehistoric; Historic mid-19 th century to 20 th century; Anglo-American	Eligible
41WB13		Prehistoric; Historic 20 th century	Undetermined
41WB15		Archaic; Late Prehistoric	Undetermined
41WB16		Prehistoric; Historic late 19 th century to 20 th century	Undetermined
41WB20		Middle Archaic to Late Prehistoric	Eligible
41WB54		Prehistoric	Undetermined
41WB55		Prehistoric	Undetermined
41WB83		Prehistoric; Historic 20 th century	Undetermined
41WB205		Prehistoric; Historic 20 th century	Ineligible
41WB564		Prehistoric	Undetermined
41WB565		Mid- to late Archaic	Undetermined
41WB593		Archaic	Undetermined
41WB597		Late Archaic; Late Prehistoric/ Neo-American; Historic	Undetermined
41WB598		Mid- to late Archaic	Undetermined
41WB601		Prehistoric; Historic	Undetermined

Site Number ¹	Field ID	Site Type	Eligibility Recommendation
41WB603		Prehistoric	Undetermined
41WB635		Late Prehistoric/ Neo-American	Undetermined
41WB637		Prehistoric	Undetermined
41WB657		Archaic to Late Prehistoric	Undetermined
41WB673		Late Prehistoric; Historic Spanish Colonial	Undetermined
41WB819		Late Archaic; Late Prehistoric	Undetermined
41WB937		Prehistoric	Undetermined
41WB938		Prehistoric	Undetermined
41WB939		Prehistoric	Undetermined
41ZP78		Late Prehistoric; Historic Spanish Colonial	Undetermined
41ZP96		Unknown	Undetermined
41ZP144		Prehistoric burial	Eligible
41ZP924		Prehistoric	Undetermined
2003000431	Barrio Azteca Historic District	Mid-19 th century to mid-20 th century	Listed district
2073001988	San Ygnacio Historic District	19 th century	Listed district
2075002011	Fort McIntosh	Mid-19 th century to early 20 th century	Listed district
7479001705	Unknown Grave (WB-C017)	Cemetery	Undetermined
	Temp Site 262-264	Prehistoric; Historic 19 th century to 20 th century	Recommended potentially eligible
	Temp Site 301-305	Prehistoric; Historic 19 th century to 20 th century	Recommended potentially eligible
	Temp Site 318	Prehistoric; Historic 19 th century to 20 th century	Recommended potentially eligible
	Temp Site 323-327	Prehistoric; Historic 19 th century to 20 th century	Recommended potentially eligible
	Temp Site 331	Prehistoric; Historic 19 th century to 20 th century	Recommended potentially eligible

¹ Rows with a blank site number indicate sites which have not been submitted officially to the State of Texas and assigned official State trinomial numbers.

Request for Input

CBP is planning to conduct additional cultural resource surveys in the proposed APE. Additionally, CBP is requesting your assistance in identifying any resources or sites of sacred or

The Honorable Bernard F Barcena Jr.

Page 4

spiritual significance to the Lipan Apache Tribe of Texas to ensure they are considered as part of CBP's review of the undertaking. CBP welcomes your input and comments and looks forward to hearing any concerns you may have regarding cultural resources, traditional cultural properties, and sacred sites within the proposed APE. Please respond by June 13, 2022.

If you have any questions, please contact Shelly Barnes at 202-425-1669, michelle.l.barnes@cbp.dhs.gov; U.S. Customs and Border Protection, Border Patrol HQ, 1300 Pennsylvania Ave NW 6.5E Mail Stop 1039, Washington, DC 20229, Attn: *Paul Enriquez*. We also request you provide an electronic copy of your response to Ms. Barnes at michelle.l.barnes@cbp.dhs.gov.

We appreciate your feedback and help with evaluating the potential impacts of this project.

Sincerely,

A handwritten signature in blue ink that reads "Paul Enriquez". The signature is written in a cursive style with a large initial "P".

Paul Enriquez
Real Estate and Environmental
Infrastructure Portfolio Deputy Director
Program Management Office Directorate
U.S. Border Patrolmes

Enclosure: Laredo Border Barrier Description of the Proposed Action

Cc: Tom Castillo, Tribal Historic Preservation Officer, Lipan Apache Tribe of Texas,
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