

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,

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

Enclosures: **Attachment 1** – ICE SEA List of Federal and State Agencies Consulted
Figure 1 – Frio County Map
Figure 2 – Vicinity Map
Figure 3 – Site Overview
Figure 4 – Site Plan Overlay Map

ICE Dilley SEA Scoping Letters List 8/13/2014

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FEDERAL		
Agency	Address	Comment/Forms/Attachments
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/forms/SHPO_Consultation_Form-Ver0811.pdf
TRIBES		
Agency	Address	Comment/Forms
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
City of Dilley	Honorable Mary Ann Obregon Mayor P.O. Box 230 Dilley, TX 78017-0230 (830) 965-1624	

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

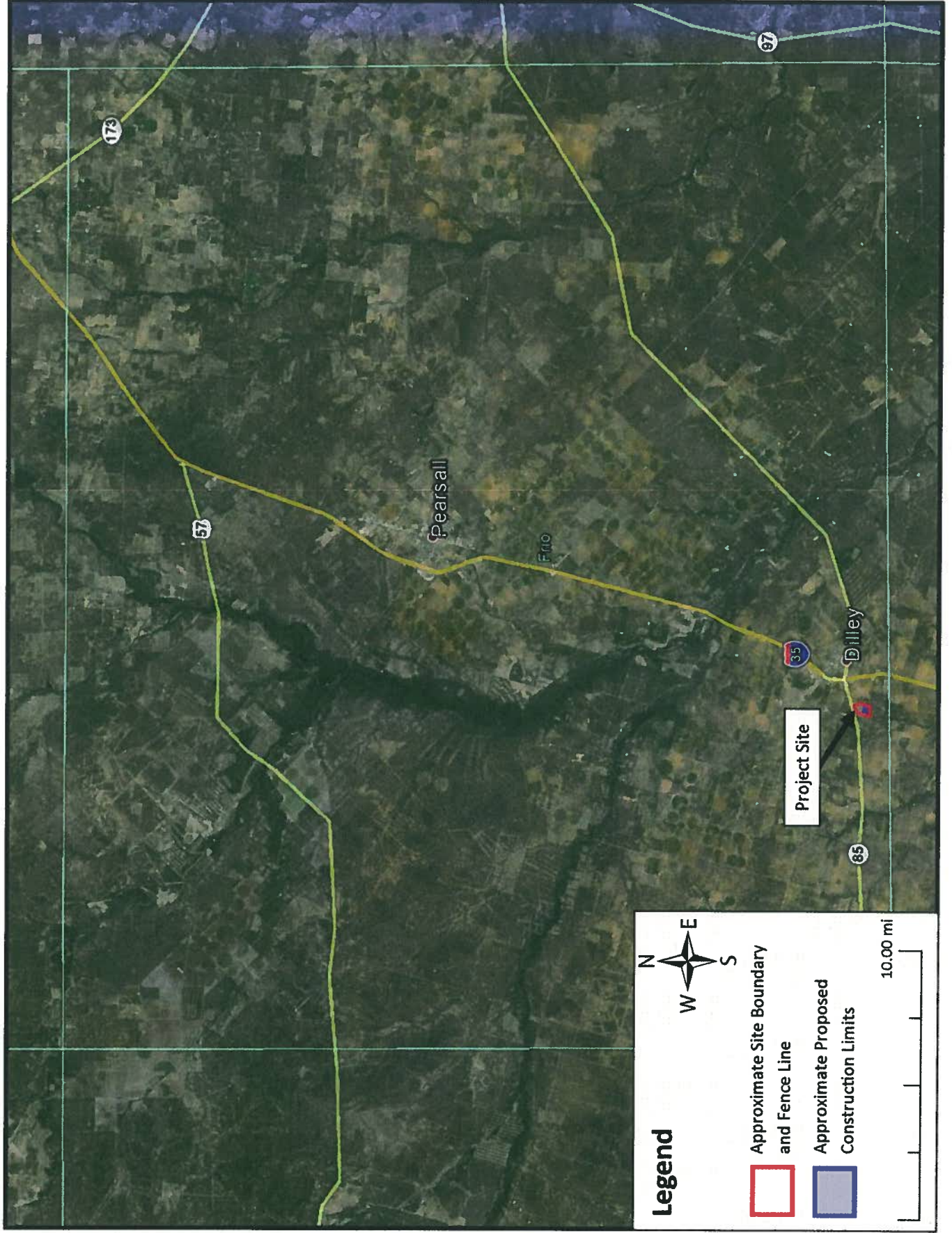


Figure 2: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Vicinity Map

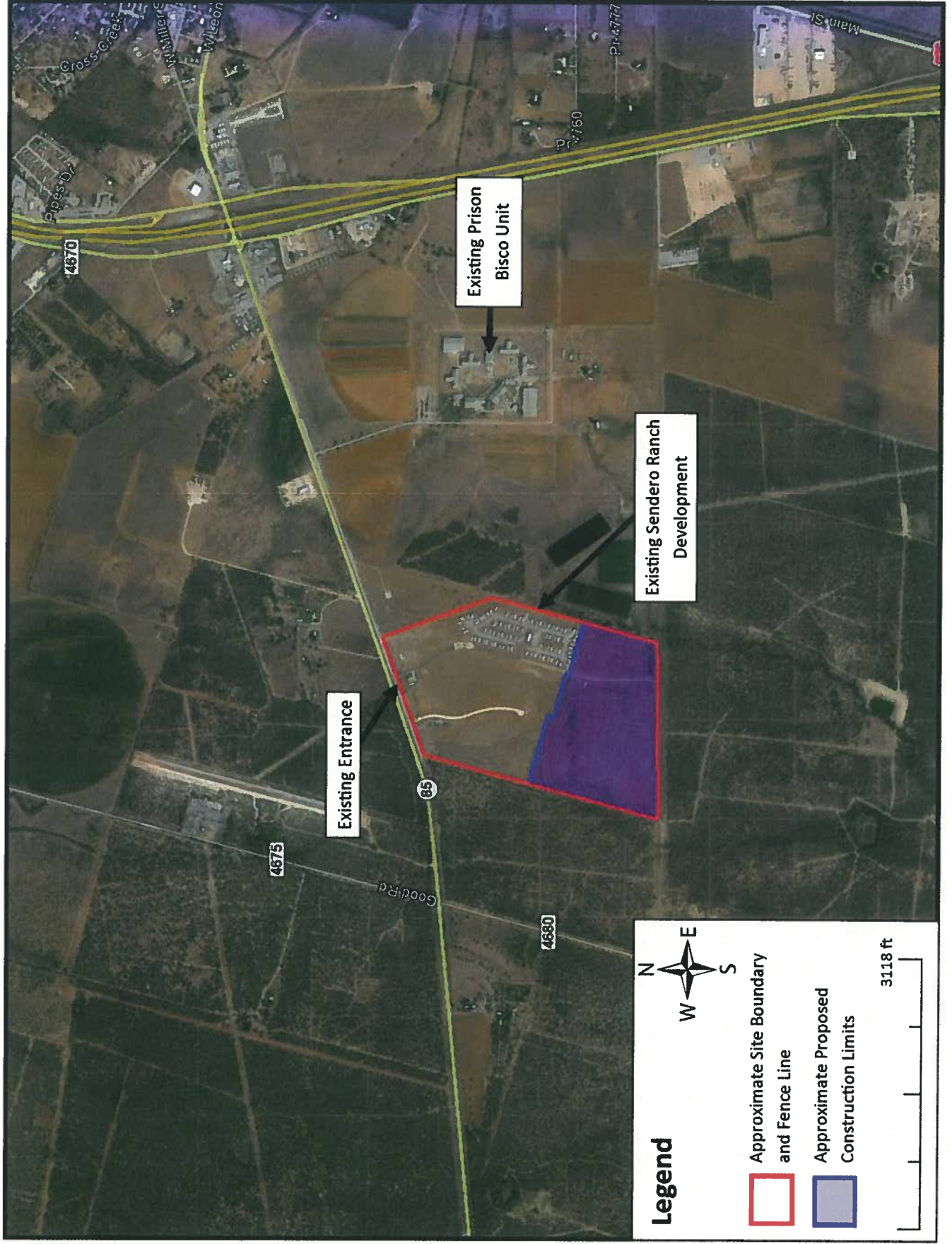


Figure 3: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Overview

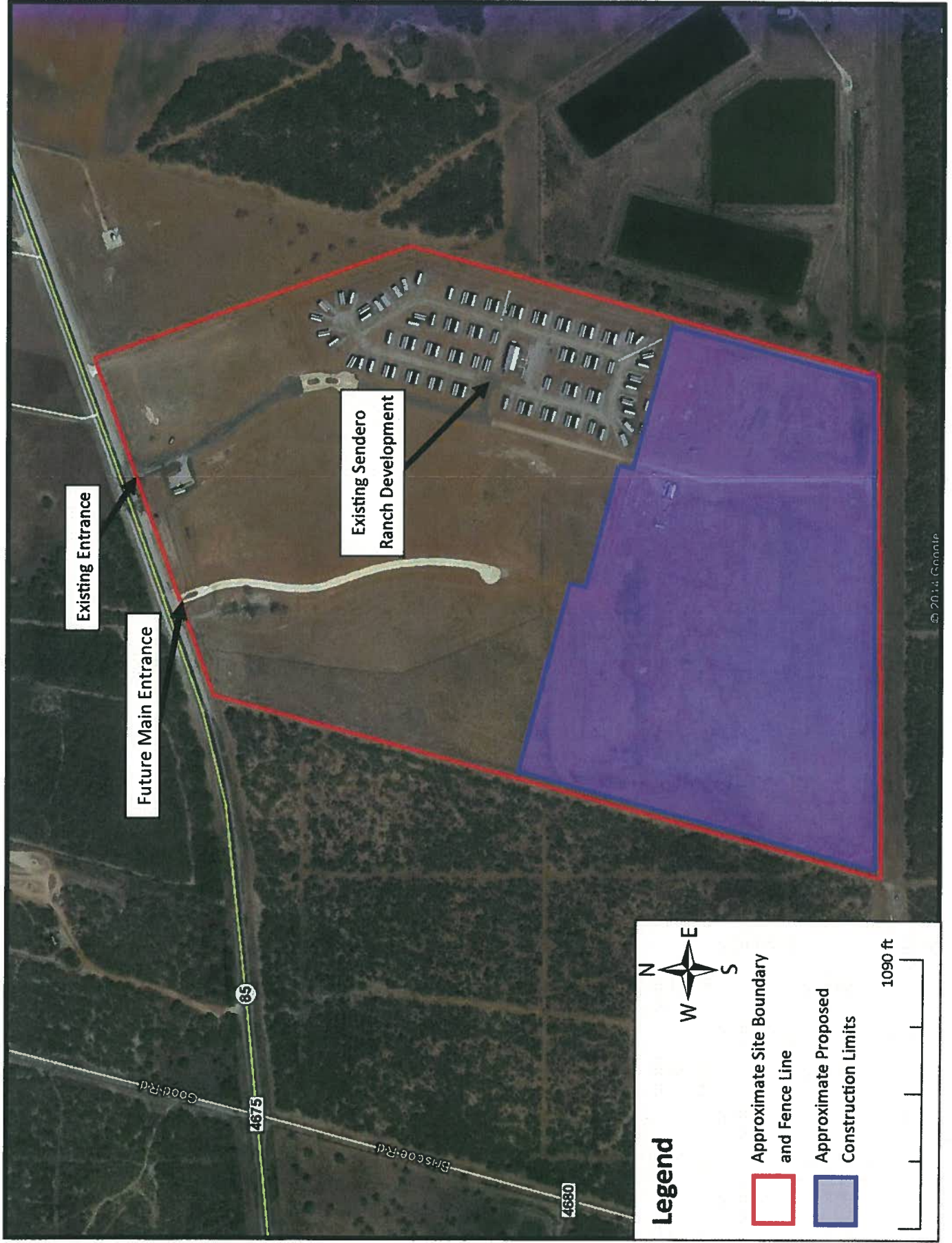
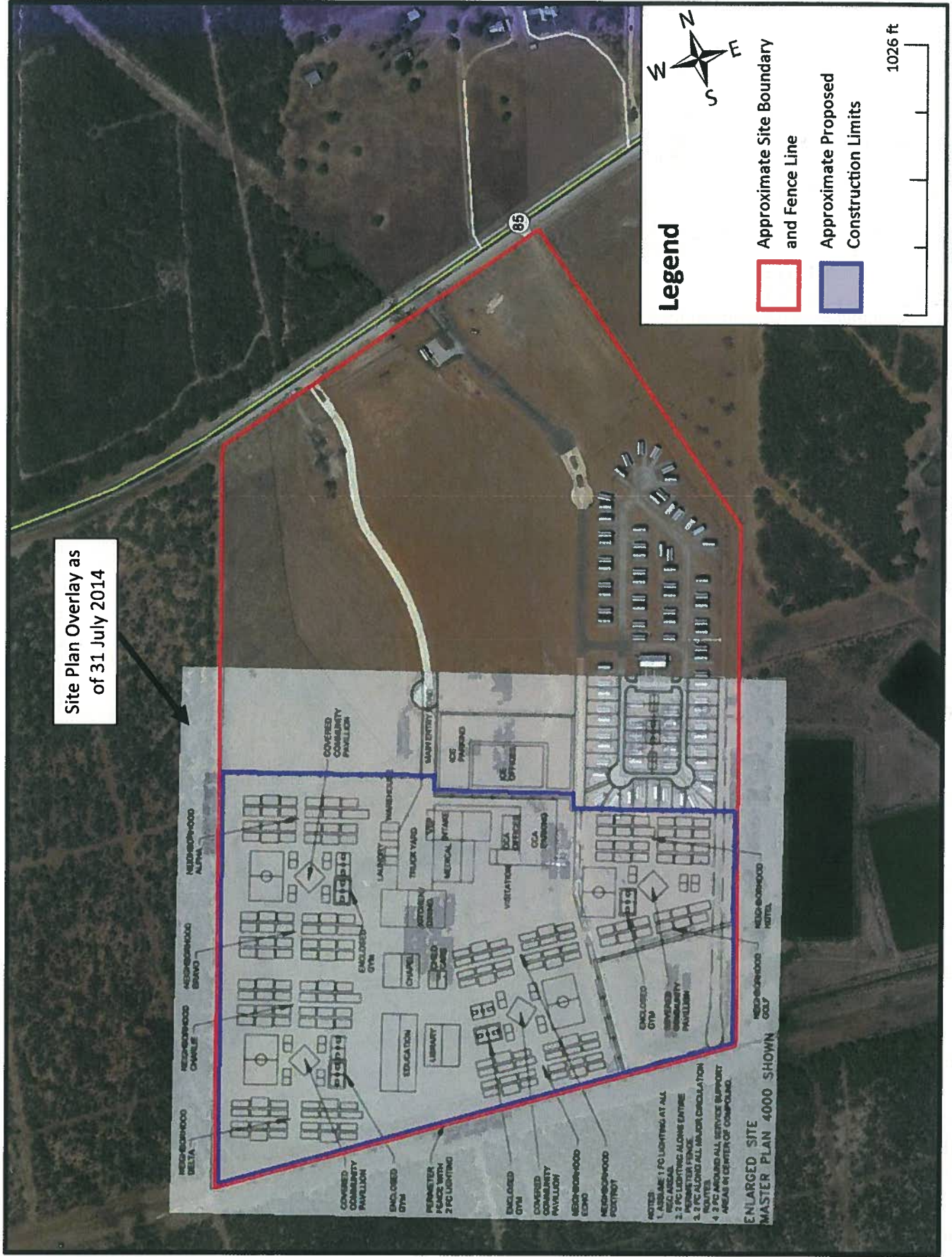


Figure 4: ICE Project: Dilley, TX (1925 West Highway 85, 78017) – Site Plan Overlay Map



Site Plan Overlay as of 31 July 2014

Legend

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

1026 ft

- NOTES**
1. ALL AREAS 1 FC LIGHTING AT ALL TIMES
 2. 2 FC LIGHTING ALONG ENTIRE PERIMETER FENCE
 3. 2 FC ALONG ALL MAJOR CIRCULATION AREAS IN CENTER OF COMPLEX
 4. 3 FC AROUND ALL SERVICE SUPPORT AREAS

ENLARGED SITE MASTER PLAN 4000 SHOWN