

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

July 15, 2019

John P. Sanders
Acting Commissioner
U.S. Customs and Border Protection
U.S. Border Patrol Headquarters
1300 Pennsylvania Avenue
6.5E Mail Stop 1039
Washington, D.C. 20229-1100

Dear Acting Commissioner Sanders:

On July 3, 2019, I submitted comments outlining my concerns about the environmental, social, and economic impacts of the U.S. Customs and Border Protection's (CBP) Pima and Cochise Border Infrastructure Projects. I specifically highlighted the potential harm to public lands, including the Cabeza Prieta National Wildlife Refuge, Organ Pipe National Monument, San Bernardino National Wildlife Refuge, and the Coronado National Memorial. Comments submitted that same day by the Bureau of Land Management confirm that border wall construction is also planned to cross the San Pedro River in the San Pedro Riparian National Conservation Area (SPRNCA).¹ Troublingly, the location of this proposed section of wall was unclear and unlabeled on the maps provided in CBP's public comment notice. I am writing to express my strong opposition to those plans as well.

Congress created SRPNCA in 1988 to protect the unique and fragile landscape of the last free-flowing, undammed desert river in the Southwest. SPRNCA is considered one of the most important riparian areas in the United States and is "home to over 250 migratory bird species, 10 species listed under the Endangered Species Act as either Threatened or Endangered, 12 BLM sensitive species, and 28 Species of Greatest Conservation Need."²

Currently, "Normandy" style vehicle barriers are in place at the San Pedro River crossing which can be removed during seasonal flood flows. Replacing these barriers with a permanent, immovable structure like the concrete and bollard style wall described in CBP's public comment notice would drastically alter river flow, having immeasurable and devastating impacts on SPRNCA, the surrounding environment, and wildlife.

¹ Letter from Scott Feldhausen, Gila District Manager, Bureau of Land Management to U.S. Customs and Border Protection (Jul. 3, 2019).

² *Id.*

The Department of Homeland Security has already noticed its intent to waive the National Environmental Policy Act and other environmental laws in constructing the border wall in this area.³ By failing to conduct sufficient environmental planning and analysis, construction of a permanent wall in the San Pedro River will likely lead to significant debris buildup and redirection of floodwaters that cannot be effectively mitigated even with grates and liftable gates. The impacts of this level of environmental disruption can be disastrous and deadly, as we have already seen in Organ Pipe Cactus National Monument and Nogales, Arizona and Sonora.^{4,5}

President Trump's border wall is ineffective, expensive, and unnecessary. Risking nationally treasured ecological resources and public lands like the San Pedro River and SPRNCA in the name of his ill-conceived campaign promise is both nonsensical and irresponsible.

Sincerely,



Raúl M. Grijalva
Chair
Committee on Natural Resources
U.S. House of Representatives

³ Federal Register Notice , U.S. National Archives, "Determination Pursuant to Section 102 of Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as Amended," 84 FR 21798 (May 15, 2019) <https://www.federalregister.gov/documents/2019/05/15/2019-10079/determination-pursuant-to-section-102-of-the-illegal-immigration-reform-and-immigrant-responsibility>

⁴ Brady McCombs, *Rain washes away 40 feet of US-Mexico border fence*, ARIZONA DAILY STAR (Aug. 10, 2011) https://tucson.com/news/local/border/rain-washes-away-feet-of-us-mexico-border-fence/article_9eaead31-14eb-5474-a5c5-564a980049b2.html

⁵ Brady McCombs, *Mexico ties flooding in Nogales to U.S. Border Patrol-built wall*, ARIZONA DAILY STAR (Jul. 23, 2008) https://tucson.com/news/local/border/mexico-ties-flooding-in-nogales-to-u-s-border-patrol/article_a11265b0-17c3-5bed-b50a-72e5d17e1369.html