

THE BORDER NEEDS COOPERATION, NOT WALLS

Mary Kelly

Many of us here remember a number of amazing border conferences held in the late nineties and the early part of this decade; conferences where we had three or four hundred people gathered from non-governmental organizations, government, and academia. While in theory these conferences were about pollution and conservation, what they were really about was bi-national cooperation. We need to reenergize that spirit of cooperation to deal with the many current threats to the border we all call home and which is so important to us.

The most recent threat is the proposed border wall. Walls are not new. The Chinese took 2,000 years to construct, reconstruct and maintain a wall to keep the invaders from the North out. The Berlin Wall was designed to keep people *in* Berlin, to keep them from moving to West Germany for better jobs. These walls did not divide friend from friend, they divided friend from foe. We can not afford that in the relationship between the U.S. and Mexico, which so many of our leaders claim is, and which must be, a relationship between friends.

It is important that we do not let the struggle over this wall determine our course. It is a reality in the U.S., that much of the U.S. public perceives that we have insecure borders and that it somehow makes our country more vulnerable, so – whether those perceptions are correct or not – we have to find alternatives. What I would like to do, is discuss some of the fence-related

issues in the Eastern border and some potential alternatives to the physical barrier of the wall.

The Rio Grande, below Falcon Dam, is not what you think of as a Rio Grande, but there are a lot of very special places along this river. This is a portion that is targeted for the border fence. They are considering putting the fence on land, not down the middle of the river, but that still raises a lot of issues.

The lower Rio Grande valley has an enormous biological wealth on both sides of the border. Communities in the valley have taken advantage of this biological wealth, not only to enjoy it themselves, but to develop an extraordinarily important industry around it. Millions and millions of eco-tourism dollars are spent in the lower Rio Grande valley on the U.S. side, and the benefits spill over into Mexico. When all these retired people from the Midwest spend their winters in the valley, they go over to Mexico to shop, to get medicines, to have a decent margarita, and that brings benefit to the whole valley. Eco-tourism is the most important industry in the lower Rio Grande valley right now.

The ocelot, which is a very threatened and very vulnerable species, crosses the border at this site. So what has the U.S. done to protect all this biological richness in the valley? We spent millions of dollars acquiring land for protected areas at the local level, the state level, the federal level and the non-governmental organization level. We have just gone through two decades of spending millions to protect this habitat, are we now going to build a wall through it? It is senseless from an economic standpoint, regardless of what can be said from the environmental standpoint.

There are a lot of us in the United States who question whether all the talk about a border fence is rhetoric or reality. As many of you know and it is not a secret, since it is in all the papers and it is on the talk radio, the Secure Fence Act of 2006 had a clear domestic political purpose. It was designed to put Democrats on the spot in the advance of elections. Many senators who would not have otherwise voted for this law, did. Our Texas federal senators, both Republicans, expressed many reservations about the Secure Fence Act. They tried to amend it to get more say for the local border communities. In the end, however, they voted for it under intense political pressure. They tried to assure local officials that the Department of Homeland Security (DHS) would work with them to define what kind of barrier would be constructed at each site. Would it be a virtual barrier with just technology or would it be a physical barrier?

But events did not unfold as promised. There was a big AP story published about an internal Department of Homeland Security memo discovered by local officials in the Rio Grande Valley. This memo already lays out all the fence locations: it laid out where the fence was going to go, what kind of barrier it was going to be, etc. The local officials were incredibly unhappy. They are using very strong language in the paper, calling it “absolute idiocy”, stating that they will be steadfast in their opposition and predicting that the fence will cause “bedlam.” And both senators, Cornyn and Hutchinson, from Texas now have responded by saying: “This is not what we envisioned. We will get DHS to work with you. We know we need to protect private property rights.” Since a lot of the land where they will build the fence in Texas is private property; and property rights, guns and limited government are a way of life in Texas. There are many private land issues; there are a lot of ranchers and farmers who do not want a fence across their land.

In terms of the funding realities, there has been about 1.2 billion USD appropriated under the Secure Fence Act. However, that 1.2 billion can be used for many things; it does not have to all be used for the wall. Much of it is being used for virtual securing of the border through remote sensing and other means.

If you look at how much the fence has cost in the San Diego – Tijuana area, it is about 5 million dollars a mile now. So if we did 700 miles of fencing like that, it would be 3.5 billion. That is certainly not a stretch for the U.S., but it is not an insignificant amount of money. I would venture to say that it is highly underestimated; it does not consider all the costs of condemnation of land or of trying to obtain easements across private land, the years of litigation that that might cost. We allow DHS to exempt these fences from all the environmental laws, but that does not mean they are exempt from the constitutional protections for taking private property. Cities are going to put up a fight on this in the U.S. So I think there is some sense that much of this is still rhetoric and it is going to stay rhetoric until the 2008 elections. Whether it ever becomes a reality is uncertain; we cannot discount that possibility, but we may have some time. But, to address this situation, we need to present alternatives. And so I am going to conclude by just talking about one possible alternative in the lower Colorado River.

Take the region known as the limitrophe section. It is the main stem of the Colorado River, below Morelos Dam and down to the Southern international boundary at San Luis Río Colorado. It is an amazing place. It has survived basically on inadvertent passage of water through Morelos Dam and on the

increasingly infrequent floods that might come out of the Colorado River. It is not channelized, it is not straightened. There are still some great stands of cottonwood and willow, some of the best remaining native riparian habitat in all of the lower Colorado River. It is home to many species of birds as Osvel Hinojosa, Water and Wetlands Director, Pronatura Noroeste can tell you; he has been out there and found them all, year after year. And it is a really important remnant habitat. If we do some things right, we can protect it.

Despite the many changes in the river channel, it is still a natural meandering river; even though it is the border, that border is shifting all the time. There are even now some very beautiful places on the limitrophe. Not a lot of water, but some; however it is also invaded very heavily by tamarisk, by salt cedar. And that causes not only the environmental problems that we all know about —excessive water use, habitat degradation, decreased access of local communities to the river—but it also has implications for border security. It provides cover for people that prey on migrants crossing in the limitrophe. And there is a fairly extreme rate of violence against migrants there. These salt cedar thickets hamper what the Border Patrol likes to call operational control of this segment, because they can not see in there. So there has been some pilot clearing on the Cocopah lands, where they have taken out the salt cedar but left the native vegetation. This shows the potential throughout the



Photo: Fred Phillips

limitrophe to address not only border security and migrant safety issues, but also to achieve some very important environmental restoration.

The Yuma East Wetlands, where Yuma took a section of the Colorado River that bordered some tribal lands, as well as some City-owned lands and private farmlands, and which had the same kind of invasive problem of salt cedar. It had become a trash dump, there were many people living within the tamarisk, many public safety problems. But Yuma, through the Yuma Crossings Natural Heritage Area, was able to carry out an amazing restoration project. This once degraded area has now become somewhat of a crown jewel for Yuma along the river. It has helped the community reconnect to the river; you see people walking their dogs, having *pachangas* (parties), enjoying the sunset there in Yuma; it has resolved the public safety problems. This has had a high financial cost and there are ways to do it less expensively, probably, than the Yuma East Wetlands Project, but it is a local model that has really attracted the interest of powerful sectors in Yuma. They are now building a large hotel complex there; this is helping their winter tourism, much of which is based on bird-watching, since the birds are returning to that site. And now Yuma is beginning to look at the limitrophe and saying “Are there some possibilities we could do the same thing there and also help resolve some of the border security issues in that segment of the river?” The last thing Yuma local officials, and even the Border Patrol, really want is a fence down that stretch of the limitrophe, but they have got to have an alternative; and I think it is partly our responsibility as conservationists to give them that alternative, or at least to look for it.

Taking out the tamarisk and then re-vegetating with native vegetation would enable us to have a corridor that is both beneficial for wildlife or endangered species, but also provides a visual quarter that helps enforcement along the border; and this could be done along both sides of the river.

Environmental Defense, working very closely with Pronatura Noroeste, has retained some technical experts to prepare a preliminary design of a restoration strategy that we have put forth to a number of different agencies, both in the U.S. and Mexico. There are multiple benefits from this approach. The area could become an important economic asset just as in the lower Rio Grande valley; the protected areas there have turned into millions for the local economy and become a community asset, providing places for people to recreate, to reconnect with the river –especially the communities on the Mexican side that used to enjoy those areas and are now somewhat disengaged from it. This may be an opportunity to reinvigorate that asset for them. Yuma National Heritage Area has now proposed a concept design for a pilot

restoration project in the Hunters' Hole area of the limitrophe, and Pronatura is exploring a parallel pilot on the Mexican side of the river.

These pilot projects, and limitrophe restoration as a whole, would provide a way to cooperate bi-nationally in resolving these issues and avoid a U.S.-dominated or a U.S.-driven solution. It could provide a model for other areas of the border; and maybe even at the same time, help create good jobs, by helping farmers grow native plants that can be used in re-vegetative activities, not only in the limitrophe region, but possibly all the way down the riparian corridor of the Colorado River Delta, other parts of the Delta, and even up in the U.S. portion of the Colorado basin. And finally, this may be a model for other parts of the border, where we can cooperate in finding solutions that make sense, and not just build a wall to separate friend from foe.