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## New border fence rising

**Despite opposition groups' objections, federal officials are fast-tracking construction of barriers**

**By Brady McCombs**

ARIZONA DAILY STAR

Primary fencing along Arizona's stretch of the U.S.-Mexican border will more than triple to 80 miles by Christmas if construction target dates are met.

In an effort to comply with the Secure Fence Act of 2006 that mandates 370 miles of new primary fencing, Department of Homeland Security officials are fast-tracking large sections of new 12- to 18-foot-high barriers in Sasabe, Nogales, Naco, Douglas and Yuma.

Officials have already doubled the miles of fencing to 51.8 miles; they hope to have more than 80 miles erected by the end of the year. By the end of the next fiscal year, they plan to build at least 20 additional miles, bringing the total miles of fencing to nearly 100 miles along the state's 350-mile border.

The U.S. Border Patrol and border security advocates say the fencing is long overdue and needed to curb illegal immigration.

"Every place where a fence has been put up it has worked," said Dave Stoddard, a former Border Patrol supervisor who retired in 1996 after 27 years with the agency. "There should be a fence from San Diego to Brownsville and it should already be up."

But environmentalists and some Southern Arizona residents are troubled by what they say is the Department of Homeland Security's disregard for impacts on wildlife such as the jaguar and about what residents think. And, they say, the fencing is a boondoggle that won't stop illegal border crossings.

"The Department of Homeland is an out-of-control federal agency with no regard for public concern about environmental impacts," said Daniel Patterson, southwest director for Public Employees for Environmental Responsibility. "The only thing these fences won't stop are people."

### Jaguar debate

The jaguar — a federally recognized endangered species — is at the center of the dispute.

Jaguar researchers and conservationists say the fencing will destroy any hope of the cat permanently returning to the United States. Homeland Security says the fences won't cut into known jaguar corridors, and have the backing of the U.S. Fish and Wildlife Service.

### miles of fence

Length of primary fencing in Arizona:

- Nogales: 2.8 miles (10.65 additional miles planned) = 13.45 miles
- Naco/Douglas: 24 miles (23.25 miles planned) = 47.25 miles
- Yuma: 25 miles (9 miles planned) = 34 miles
- Total: 51.8 miles (42.9 additional miles planned) = 94.7 miles

### Did you know ...

According to one Indian myth, the jaguar — the largest cat in the Americas — acquired its spotted coat by daubing mud on its body with its paws. Translated, the jaguar's name means, "a beast that kills its prey with a single bound."

Researchers thought the majestic cat had become nearly extinct in the U.S. by the mid-1900s, with only four sightings from the 1960s-1980s. Then, in March 1996, Warner Glenn, a Douglas-area rancher and lion hunter, spotted and photographed a jaguar in the Peloncillo Mountains at the Arizona-New Mexico border. Since then, four male jaguars have been repeatedly photographed in Southern Arizona.

### Public comment

On Friday, that agency issued a biological opinion giving the green light on construction of 31 miles of primary fences in Sasabe, Nogales, Naco and Douglas despite acknowledging the barriers could hurt the northern jaguar population in Southern Arizona and damage some lesser long-nosed bat habitat.

"Because the area used by jaguars in the United States is such a small part of the overall range of the species and because of nomadic use by jaguars, the range of the jaguar in the United States is not enough area to provide for the conservation (i.e., recovery) of the jaguar ... and it cannot be defined as essential to the conservation of the species," the report stated.

Fish and Wildlife instructed U.S. Customs and Border Protection to assist in monitoring, conservation and recovery measures for the jaguar.

The decision didn't please jaguar conservationists.

"This fencing project and lack of conservation recommendations will undermine a decade of binational collaboration aimed at recovering the American jaguar," said Craig Miller, southwest representative of Defenders of Wildlife and vice president of the Northern Jaguar Project. "This misguided project will essentially seal the fate of the American jaguar."

Since 1996, four male jaguars have been repeatedly photographed in Southern Arizona in between Nogales and Sasabe and in Cochise County near the Arizona-New Mexico border. Jaguars had been sighted only four times in the United States in the previous three decades.

The fencing will push smuggling routes and law enforcement activity into jaguars' preferred corridors, decreasing the odds of recovery, said Jack L. Childs, project coordinator for the Borderlands Jaguar Detection Project, based in Amado.

"If we ever want this small population to recover, we are going to have to give them their opportunity to cross back and forth," Childs said.

While security is paramount and the impact on the total population limited, Childs said that's not an excuse to knowingly harm an endangered species. The government should implement either political or less damaging solutions to slow illegal immigration.

"It seems senseless to me to have to sacrifice even a remnant population of jaguars," Childs said.

Stoddard dismisses the concerns of environmentalists as a red herring designed to keep the border open.

"Any jaguar, butterfly, deer or other life form that cannot make it over a 12-foot fence needs to be eliminated from the gene pool," said Stoddard.

### **Efficacy of fences**

Both proponents and opponents of border fencing cite a 14-mile fence built near San Diego in the mid-1990s as evidence of the effectiveness — or impotence — of the barriers. There, fencing was followed by a 92-percent decrease in apprehensions from 1994 to 1998.

"If it's well designed, the data shows it works," said Glenn Spencer, president of the Cochise County-based American Border Patrol, a nongovernmental organization that keeps tabs on the Border Patrol.

Opponents counter that smugglers simply shifted their routes into Arizona after the fence went up, continuing to sneak drugs and people into the United States at the same rates.

"This is not going to prevent human migration," Miller said. "What it's going to do is funnel and increase human migration into the most rugged and remote regions."

The Buenos Aires National Wildlife Refuge wants to know what you think about the proposed use of a 0.8-mile stretch of its lands for a section of 7-mile fence flanking Sasabe. The Department of Homeland Security is required to obtain approval from the refuge. Officials have issued a draft compatibility determination that reviews whether the fence will interfere with the refuge's responsibilities; it is available at libraries in Green Valley and Arivaca.

Written comments received by Sept. 18 will be considered in the final draft of this document. Comments should be sent to: Refuge Manager, Buenos Aires NWR, P.O. Box 109, Sasabe, Ariz., 85633. To request a copy of the document or get more information, you can call the refuge office at: (520)823-4251.

Fences aren't a panacea and don't make sense along the entire border but are a valuable tool in the agency's arsenal, said Brad Benson, a Customs and Border Protection spokesman.

They delay illegal border crossers and give the agency an opportunity to spot and perhaps catch them, he said. Homeland Security envisions a combination of primary fencing, vehicle barriers, technology and agents on patrol as the ideal solution, Benson said.

### **Public process**

The congressional mandate to construct 370 new miles of new primary fencing by November 2008 is driving the urgency to build, Benson said.

Legally, the construction is within the scope of the law. The Real ID Act of 2005 gives DHS the authority to waive environmental regulations that interfere with its ability to fast-track border security projects.

That doesn't ease concerns from those who say the agency is skipping the proper process and using the political mandate as an excuse.

Rep. Raúl Grijalva, D-Ariz., has introduced legislation to counter that trend.

For fence proponents, Grijalva said, "It's one fence fits all regardless of whether you are affecting wildlife, whether you are affecting habitat, whether you are affecting tribal land. There is a process involved: You must consult with public land managers, local communities, with tribes."

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