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Construction begins on 30-foot border wall in fragile Arizona desert

BY STEFAN BECKET

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Washington — The Trump administration has begun erecting a 30-foot-high border wall that will cut through federally protected land in Arizona, despite warnings from Democratic lawmakers and activists that the new barrier and its construction could do irreparable damage to a fragile desert ecosystem.

The first phase of construction in Organ Pipe Cactus National Monument, which runs along the southern border with Mexico, will replace a two-mile stretch of 15-foot-high fencing with structures that are twice as tall and feature large flood lights to illuminate the surrounding areas, according to a government [court filing](#) and congressional staffers familiar with the plans.

The project is the first construction of new border barriers on federal lands using funds diverted from the Defense Department under President Trump's national emergency declaration. The Department of Homeland Security told a federal court earlier in August that it plans to eventually replace nearly 44 miles of existing pedestrian and vehicle fencing with 30-foot steel bollards, creating a barrier spanning most of Organ Pipe as well as portions of an adjacent wildlife refuge.

A portion of the new border wall in Organ Pipe Cactus National Monument in Arizona, seen on Tuesday, August 27, 2019. HOUSE COMMITTEE ON NATURAL RESOURCES

Some members of Congress and environmental activists say erecting the massive structures will severely hamper animal migration, cut wildlife off from already-scarce desert water sources and threaten animals' ability to flee natural disasters like floods and wildfires. The 516-square-mile Organ Pipe monument is named for the unique cacti that dot the landscape. Several endangered species call it home, including the Sonoran pronghorn and desert bighorn sheep.

Staffers from the House Committee on Natural Resources, which has jurisdiction over issues related to the use of federal land, visited the site on Tuesday and provided footage of the construction to CBS News. The recording shows workers using heavy machinery to dig into the ground, and a massive well nearby pumping scarce groundwater for use in mixing cement to hold the six-inch-wide bollards that compose the wall.

Arizona Congressman Raúl Grijalva, the Democratic chairman of the committee, represents the district that includes Organ Pipe and is a fierce critic of the Trump administration's hardline immigration agenda. He said the president's "destructive ego has become a danger to entire regions of our country."

"If sensitive habitats and decades-old environmental laws are expendable, there's no guessing what else Trump and his supporters in Washington will throw under the bus," he said in a statement to CBS News. "There is little room for indifference here, because we've seen what walls do and how difficult it can be to tear them down."

In May, the Department of Homeland Security [waived](#) dozens of laws to allow construction in Organ Pipe and other wildlife refuges in southwestern Arizona. In a [notice](#) in the Federal Register, Acting Secretary Kevin McAleenan pointed to high level of illegal crossings in the Tucson sector, which includes Organ Pipe, and said existing barriers "no longer satisfy Border Patrol's operational needs." Border agents have encountered 38,709 migrants trying to cross the border illegally in Tucson sector so far this year, according to DHS statistics. McAleenan said the Department of Homeland Security must replace the barriers to meet an "acute and immediate need."

Under a 2005 law, the homeland security secretary can waive any laws "necessary to ensure expeditious construction" of barriers along the border and can overrule other agencies like the National Parks Service, which administers national parks and monuments. McAleenan invoked that authority to waive the department's obligations under 36 federal laws, including the Clean Air Act, the Migratory Bird Treaty Act and the National Fish and Wildlife Act.

The Center for Biological Diversity (CBD), an environmental group, sued the government in early August, asking the U.S. District Court in Washington, D.C., to issue an injunction blocking its construction. The group argued the waivers were never meant to be used to justify long-term projects like the border wall.

"We're asking the court to strike down the waiver. It was never intended to exist in perpetuity," Laiken Jordahl, borderlands campaigner for the group, told CBS News from Arizona, where he is documenting the construction. "How can this still be 'expeditious'?"

Responding to the CBD's lawsuit, DHS said construction of most of the wall in Organ Pipe would not begin until October, once the replacement of the two-mile stretch was completed.

Waivers have been used to fast-track construction of border barriers and fencing 18 times since 2005, including 13 times under the Trump administration alone. In 2008, the Supreme Court declined to hear a challenge to the legality of the waivers, rebuffing environmental groups that sought to block construction without environmental review under the Bush administration.

The department did not immediately respond to a request for comment on the environmental impact of the construction when asked on Wednesday. But in its court filing in August, the department said Customs and Border Protection, the division of the department overseeing the project, "minimize[s] the impact on the environment, culture, commerce, and quality of life for the communities and residents located near the sites at which such fencing is to be constructed" even when waivers are issued.

Without the waivers, the government would be required to evaluate the environmental impact of the construction and allow local communities to weigh in on the project to fulfill its obligations under the National Environmental Policy Act, one of the laws that was waived. In formal comments objecting to the wall's construction in July, Grijalva said the impact on the environment could never fully be known.

"By failing to fully account for and predict the environmental, economic, and social harms of this project, the consequences will inevitably be costlier and more destructive," he wrote.