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Trump administration cites 'environmental crisis' to spur building border wall construction

by [Anna Giaritelli](#)

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Forthcoming border fence construction on federally protected wilderness land is being touted by the Interior Department as a way to prevent fires and eliminate trash left behind by migrants, but it will also help keep President Trump from failing to fulfill a campaign promise: building the wall.

Trump administration officials have cited an "environmental crisis" at the border to help justify using their authority, under the president's declaration of a national emergency, to transfer 560 acres of some of the country's most protected public lands to the Pentagon, which plans to build nearly 70 miles worth of barriers.

Acting Bureau of Land Management Director William Perry Pendley, who oversees the affected wilderness areas, recently sat down with the *Washington Examiner* and said the projects "would not be happening but per the president's courage and wanting to fulfill his campaign promises to build a wall."

Pendley visited one such site, the Otay Wilderness Area outside San Diego, California, last week. He has been on the job in an unconfirmed capacity since being appointed by Trump in July. As a lawyer, he spent decades fighting government land grabs. He has also made offensive and derogatory comments about immigrants, which he said are irrelevant to his new job.

"I've said a lot of things over the last 30, 40 years in roles I had. I was an attorney representing private parties, or I was president of an organization, but I'm in a new position now. I work for the president. I work for the secretary of the Interior. And so my comments now reflect my new position," Pendley said in an interview in his office.

Pendley described the land he saw in California as being "overrun by illegals, and people with firearms, people bringing in drugs," even as border arrests have dropped to the lowest rates since last August. Interior did not share photos of the affected region.

Pendley added over the past 12 months, and the Otay wilderness has had seven fires break out. The largest one encompassed 27 acres. "It's nothing to have a 16,000-acre forest fire, so imagine the destruction if the fire got out of control there," he said.

William Rogers, acting special operations supervisor for Border Patrol's San Diego Sector, said agents have seen "a lot of trash" and "artificial destruction" in the wilderness area because it is not fenced off like the rest of nonwilderness land that runs up against the border going west to the Pacific Ocean.

"Part of the reason that these fires are getting set is they're thinking they're just going to go over the mountain, but it's really a difficult and arduous trip. They're having to light fires to get attention. They're getting lost. They're getting hurt," said Rogers. "I think we've definitely seen an uptick in trash just because we've had larger congregations of groups coming, transiting through the same areas."

Laiken Jordahl, a borderlands campaigner for the Center for Biological Diversity, said in an email the environmental crisis described by the administration does exist but said it was created by Trump.

Between fiscal 2017 and fiscal 2019, which ended in September, agents were called out to respond to incidents in the Otay wilderness area 31 times. They rescued 45 people and recovered four bodies.

"Because there's no fence, there's no barrier, they want to find — they want to find an access that's remote. And because of the nature of wilderness, they're not dealing with the cattle rancher or farmers or something like that, or vineyard. They're dealing with lands that Congress has set aside to be isolated and remain in primitive condition," Pendley explained.

Pendley said the only solution is blocking people from getting onto the land from Mexico.

Under the 1964 Wilderness Act, wilderness lands belong to Interior and can only be transferred to another department in rare events. Trump declared a national emergency at the southern border in February, setting Interior up to be able to relinquish control of the land so the Army Corps of Engineers, the defense agency tasked with border fence construction, could move on it.

In early September, defense officials deferred \$3.6 billion in funding to be used on 11 border fence projects, including those on wilderness areas. A week later, Interior [announced](#) the transfer of 560 acres of federal land in California, Arizona, and New Mexico to the Pentagon.

Privately owned land on the border has been hard to come by for the Trump administration, which has completed less than 75 miles of fence — nearly all replacement projects — in the president's first 33 months in office. DHS now says 500 miles will be done shortly after the 2020 election, pushing the administration to move fast to acquire, plan, and build fence.

When asked if the withdrawal of land was a "guise" the administration is using as a cover to take land for fence construction, Pendley referred the *Washington Examiner* to the White House and Pentagon and then said, "Under federal law, there is a provision for us to convey that property in the case of an emergency." Pendley said, "This is a way to keep them from coming in illegally."

"There's a multiple agency department approach to securing the border, and we always talk about humanitarian and national security crises, but this is one of the consequences that no one is talking about, the environmental crisis as well," said Carol Danko, a senior adviser at Interior.

Pendley said the Army Corps has started soliciting bids for the fence construction and expects to have the barrier up in California by late 2020.

Williams also said nonwilderness areas in San Diego that did not have a fence up until recently have been "substantially regenerated, less dirty, less infringed upon" as a result of the enhanced barriers.

"It's actually a pretty stark difference in the growth and the regeneration that's taken place where it's double fencing," said Williams, referring to two new parallel fences that run from the wilderness to the Pacific Ocean.

Environmental groups say Pendley has abandoned the cause by sacrificing federal land for projects that need to be dealt with in other ways.

"The Bureau of Land Management should be safeguarding these spectacular places, not butchering them with bulldozers," Jordahl wrote in an email. "A wall through the rugged Otay Mountain wilderness won't stop people from crossing. Anyone could climb right over it with a ladder or a rope. A wall will stop wildlife from migrating and destroy this spectacular wilderness area for generations to come."

The Wilderness Society referred the *Washington Examiner* to a [statement](#) President Jamie Williams made at the time of the withdrawal last month. "We urge consideration of comprehensive solutions that will improve our immigration system while maintaining the significant natural and cultural values of our public lands," Williams said.

Pendley said Interior Secretary David Bernhardt will "take steps necessary to make a longer withdrawal" following the initial three-year emergency withdrawal, but he did not explain why the military would need jurisdiction years down the road when the project is expected to be completed in the short term.