



Via Electronic Mail

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Re: Update the U.S. Border Wall and the El Pinacate UNESCO World Heritage Site and continued request for the property to be included on the List of World Heritage in Danger

Dear Mr. Eloundou Assomo and Mr. Shadie,

On behalf of the Center for Biological Diversity (the Center),¹ we write to inform you of the latest developments regarding the United States border wall construction and Mexico's El Pinacate and Gran Desierto de Altar Biosphere Reserve World Heritage property. We also request that the World Heritage Center and the IUCN World Heritage Programme propose to the World Heritage Committee that the Property be included on the List of World Heritage in Danger, pursuant to the World Heritage Committee's authority under Article 11, paragraph 4 of the Convention Concerning the Protection of the World Cultural and Natural Heritage ("World Heritage Convention").

Mexico's El Pinacate and Gran Desierto de Altar Biosphere Reserve World Heritage property ("El Pinacate") was inscribed on the World Heritage List in 2013,² in part, to protect the area's extraordinary "biodiversity and threatened species." This diversity includes numerous species of imperiled wildlife that depend on cross-border connectivity, like imperiled Sonoran pronghorn, bighorn sheep, pygmy owl, and jaguar. El Pinacate's roughly 140-kilometer northern boundary abuts the Mexico – United States border, and the U.S. border areas have been deemed critical to El Pinacate's "integrity and ecological connectivity" and to the survival and recovery of many Sonoran species.

¹ The Center for Biological Diversity is a nonprofit conservation organization with more than 1.7 million members and online activists dedicated to protecting endangered species and wild places. More information available at <https://www.biologicaldiversity.org>

² World Heritage Committee Decision 37 COM 8B.16, Decisions Adopted by the World Heritage Committee at its 37th Session (Phnom Penh, 2013), WHC-13/37.COM/20, Paris, 5 July 2013 ("WHC Decision 37 COM 8B.16"). Available at: <http://whc.unesco.org/en/list/1410/documents/>.



During the Trump administration (2017–2021), the United States completed 455 miles of border wall^{3,4} along the Mexico-U.S. border. A 9-meter-high wall was built across the northern boundary of El Pinacate (Figure 1), blocking critical wildlife migration in and out of this unique protected habitat and endangering the area's connectivity and integrity. The wall now runs along the full 140-km Pinacate border leaving just 23 km in the mountains without a barrier (Figure 2).⁵ (See video from the U.S. side to El Pinacate: <http://t.ly/XkCu>). To build the wall, the U.S.-Tinajas Altas Mountains were blasted (Figure 3, see drone footage: shorturl.at/agtNV).

In 2017, the Center for Biological Diversity, Greenpeace Mexico and the Tohono O'odham Tribe in Sonora petitioned for "in danger" status for El Pinacate threatened by the U.S. border wall.⁶

In July 2021, the World Heritage Committee urged (Decision 44 COM 7B.114) the United States to stop border wall construction. The Committee stated that the construction of the border wall will negatively impact the integrity of El Pinacate and negatively affect the wider ecological connectivity and movement of key wildlife populations. The Committee also called on the United States to work with Mexico to assess damage from the wall to El Pinacate and adjacent protected lands in the United States and recommend ways to restore the landscape and wildlife habitat.⁷

Mexico's 2022 State of Conservation Report (SOC) states that the border wall will "inevitably have effects on regional biodiversity due to loss, degradation and habitat fragmentation, less access to vital resources and habitat, isolation and fragmentation of populations, conduct changes of certain species in response to moving activity on roads, increased human activity and alteration of the social structure of populations, among other aspects." Mexico concluded that "the construction of a barrier that prevents the free movement of wildlife is a threat" and has "significant impacts on the habitat conditions."⁸

El Pinacate Site

As detailed in our petition for in-danger listing, El Pinacate encompasses an approximately 714,566-hectare area in the Sonoran Desert of northwestern Mexico.⁹ This remarkably undisturbed expanse of high-quality desert habitat is comprised of a large dormant volcanic area in the east (the Pinacate Shield) and North America's largest field of active sand dunes to the west (the Gran Altar Desert). The Mexican government declared

³ DHS and CBP Celebrate 400 Miles of New Border Wall System Release Date: October 29, 2020. Available at: <https://www.dhs.gov/news/2020/10/29/dhs-and-cbp-celebrate-400-miles-new-border-wall-system>

⁴ Sky Island Alliance. <https://skyislandalliance.org/our-work/us-mexico-border-wall/tour-the-border/>

⁵ *Id.*

⁶ Petition to include the El Pinacate and Gran Desierto de Altar Biosphere Reserve World Heritage site on the list of World Heritage in Danger. May 23, 2017. Available at: https://www.biologicaldiversity.org/programs/international/borderlands_and_boundary_waters/pdfs/Pinacate_WH_In_Danger_Petition_5_23_17.pdf

⁷ Decision 44 COM 7B.114. El Pinacate and Gran Desierto de Altar Biosphere Reserve (Mexico) (N 1410). <https://whc.unesco.org/en/decisions/7829/>

⁸ State of Conservation Report of the World Heritage Property "El Pinacate y Gran Desierto de Altar Biosphere Reserve" (Mexico-1410). February 1st, 2022.

⁹ World Heritage Committee Decision 37 COM 8B.16, Decisions Adopted by the World Heritage Committee at its 37th Session (Phnom Penh, 2013), WHC-13/37.COM/20, Paris, 5 July 2013 ("WHC Decision 37 COM 8B.16"). Available at: <http://whc.unesco.org/en/list/1410/documents/>.



the same area a Biosphere Reserve and Natural Protected Area.¹⁰ El Pinacate also has two Ramsar sites: Agua Dulce (1813)¹¹ and Humedales de Bahía Adair (1866).¹²

The ecosystems in the border areas between the United States and Mexico is the result of thousands of years of movement of flora and fauna to the North or South.¹³ The boundary of the El Pinacate reserve directly abuts the United States-Mexico border; however, the broader Sonoran Desert and its extraordinary habitat extend far into the United States. In a 2020 evaluation, IUCN noted that the El Pinacate property is part of “the largest contiguous desert protected area complex in North America,”¹⁴ which includes Mexico’s Upper Gulf of California and Colorado Delta River National Biosphere Reserve to El Pinacate’s south and the United States’ Cabeza Prieta National Wildlife Refuge, Organ Pipe Cactus National Monument, and Barry M. Goldwater Range to the north.

Many of the threatened animals in this ecosystem exist nowhere else on Earth. The endangered Sonoran pronghorn, the world’s second fastest land animal, has suffered severe declines.¹⁵ Pronghorns require vast areas of open range to search for food, particularly in dry periods. They rarely jump even low fences, and the 9-meter wall presents an impassable barrier.

The wall will also harm the Tohono O’odham people who historically inhabited the El Pinacate and Gran Desierto de Altar Site and whose traditional lands are split by the U.S.-Mexico border. El Pinacate is sacred to the Tohono O’odham, and the site is regularly used for ceremonial purposes, including a sacred salt pilgrimage across the border to Mexico’s Gulf of California.



Figure 1. New border wall built in El Pinacate/Cabeza Prieta National Park. Photo credit: Russ McSpadden/Center for Biological Diversity.

¹⁰ Diario Oficial de la Federación. June 10th 1993. DECRETO por el que se declara área natural protegida con el carácter de Reserva de la Biosfera, la región conocida como El Pinacate y Gran Desierto de Altar, ubicada en los municipios de Plutarco Elías Calles, Puerto Peñasco y San Luis Río Colorado, Son. http://dof.gob.mx/nota_detalle.php?codigo=4744601&fecha=10/06/1993

¹¹ Ramsar Sites Information Service: <https://rsis.ramsar.org/ris/1813?language=en>

¹² Ramsar Sites Information Service: <https://rsis.ramsar.org/ris/1866?language=en>

¹³ State of Conservation Report o the World Heritage Property “El Pinacate y Gran Desierto de Altar Biosphere Reserve” (Mexico-1410). February 1st 2022.

¹⁴ El Pinacate and Gran Desierto de Altar Biosphere Reserve - 2020 Conservation Outlook Assessment. Available at: <https://worldheritageoutlook.iucn.org/es/explore-sites/wdpaid/555556046>

¹⁵ Doerries, S. (2019). Estimating survival and abundance of the endangered Sonoran pronghorn.

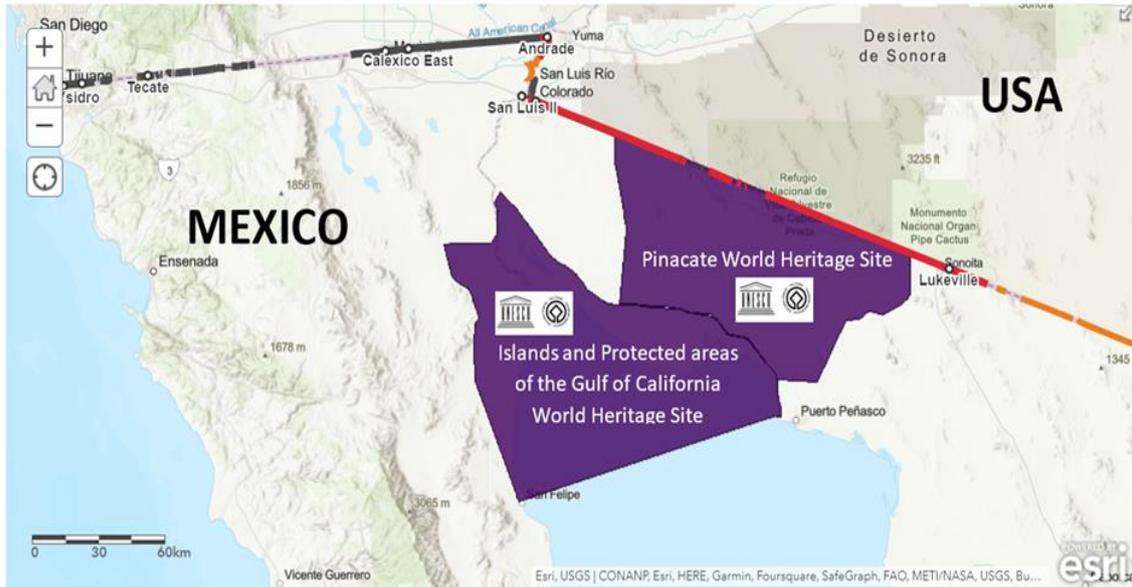


Figure 2. New border wall (red line) built 2017-2021. Modified from Sky Islands Alliance.



Figure 3. Wall construction in the Tinajas Altas Mountains. Photo credit: Russ McSpadden/Center for Biological Diversity.



Affected wildlife

The Mexican government has recognized that the main environmental impact of the border wall is “connectivity and the effect it will have on biodiversity . . . especially in animals such as pronghorn and bighorn sheep that have a long-life history.”¹⁶ Populations of the flat-tail horned lizard, the Yuma fringe-toed lizard, the Sonoyta pupfish, the Sonoyta mud turtle, the lesser long-nose and fish-eating bats, and Goode’s horned lizard, the mountain lion, Sonoran pronghorn, coyotes, Mexican bighorn sheep, Sonoran desert tortoise, and the mule deer, jaguars, and even low-flying owls must be evaluated and monitored^{17,18} due to the border wall impacts. Water reservoirs and oasis have been divided and become inaccessible to fauna in the Pinacate side; Quitobaquito spring is now unreachable from Mexico. See video: http://t.ly/EB_6

The Sonoran Pronghorn

The imperiled Sonoran pronghorn – recognized as a key component of the Outstanding Universal Value (OUV) of El Pinacate – has declined since the border wall began construction. The entire Sonoran pronghorn population was historically connected and had a continuous flow of individuals, but this connectivity has been fragmented. In El Pinacate region, the main human settlements that may affect pronghorn movement are highways, secondary roads, livestock grazing activities, and new security infrastructure that has been placed along the US-Mexico border.¹⁹

Due to the impediment of the natural movement of the Sonoran pronghorn, now pronghorns from Arizona are being translocated to be released in El Pinacate, in order to improve populations but mainly to improve genetic diversity.²⁰ During the 2020 aerial census, the population in El Pinacate was estimated on 126 individuals, and in 2022, only 85 individuals (figure 4).²¹

¹⁶ State of Conservation Report of the World Heritage Property “El Pinacate y Gran Desierto de Altar Biosphere Reserve” (Mexico-1410). February 1st, 2022.

¹⁷ State of Conservation Report of the World Heritage Property “El Pinacate y Gran Desierto de Altar Biosphere Reserve” (Mexico-1410). February 1st, 2022.

¹⁸ El Pinacate and Gran Desierto de Altar Biosphere Reserve - 2020 Conservation Outlook Assessment. Available at: <https://worldheritageoutlook.iucn.org/es/explore-sites/wdpaid/555556046>

¹⁹ State of Conservation Report of the World Heritage Property “El Pinacate y Gran Desierto de Altar Biosphere Reserve” (Mexico-1410). February 1st 2022.

²⁰ *Id.*

²¹ *Id.*

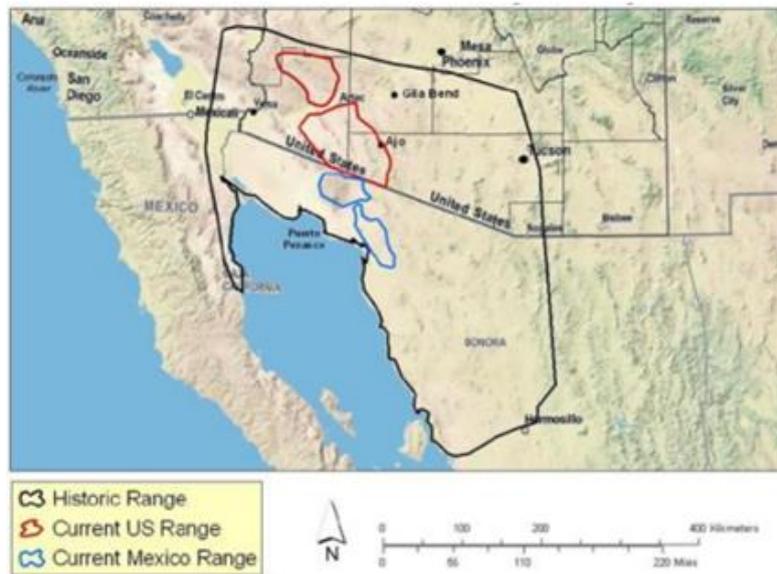


Figure 4. Historic and Current Sonoran Pronghorn Range.

Mexican bighorn sheep

The Mexican bighorn sheep (*Ovis canadensis mexicana*) population has historically used natural water reservoirs located a few hundred meters away from the border, on the U.S. side, however that was interrupted by the construction of the border wall. Thus, the Magool Foundation, the ejidos Toboyori II, Vicente Guerrero and the Directorate of El Pinacate and Gran Desierto de Altar Biosphere Reserve started a program to provide water to the bighorn sheep populations that inhabit the Mexican side of the "La Lechuguilla and Tinajas Altas" mountain ranges.²²

Sonoran Desert Tortoise

The Sonoran desert tortoise (*Gopherus morafkai*) has also been affected due to the border wall construction. Border infrastructure is placing this reptile "at risk of fragmentation and population decline." However, there is a lack of information on the status of populations in this region and management coordination across borders. Most of the published research on this species has been done in the U.S. part of its range; much less work has been done in the border region.²³

Conclusion

Construction of the U.S. border wall across the El Pinacate Site cuts the world's largest swath of protected Sonoran Desert habitat in two, walling off critical habitat connectivity. This has been and will continue to be a disaster for the wildlife that the site was designated to protect and will alter the traditional ceremonies of the Tohono O'odham people, whose use of this sacred landscape must be preserved.

²² *Id.*

²³ *Id.*



We strongly urge the Centre and IUCN to conduct a monitoring visit to evaluate the Site to assess impacts and instruct the Committee to:

1. Request a joint report from the United States and Mexico regarding the Site, the wall, construction progress, and its effects on El Pinacate, including particularly population studies on affected wildlife, including the Sonoran pronghorn, Mexican bighorn sheep, and Sonoran desert tortoise;
2. Request that the U.S. government remove the border wall in El Pinacate to allow the wildlife connectivity and aid in remediation for the damages it did on both sides of the border; and
3. Inscribe the El Pinacate property on the List of World Heritage in Danger at the Committee's 45th Session.

These efforts will bring much-needed international attention to this conservation issue.

Sincerely,

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