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“The Cost of Denying Border Patrol Access: *Our Environment and Security*”



Good morning my name is Daniel G. Bell. I am a third-generation rancher from Nogales Arizona and President of the ZZ Cattle Corporation. I am a University of Arizona Graduate with Bachelor of Science Degree in Renewable Natural Resources, with emphasis in Rangeland Management. Our family has been ranching on the same piece of country since the late 1930s. The ranch is located West of the city of Nogales, Arizona, along the border with Mexico. The ranch is located within the Nogales Station area of responsibility in the Tucson Sector of the Border Patrol.

Our ranch is nearly 40,000 acres (62.5 sq. mi.) in size has approximately 10 miles of actual border with Mexico. Apart from a 2 mile stretch of Bollard Fence and a few hundred yards of vehicle barrier, the remainder of the international boundary with Mexico is comprised of a 4-strand barb wire cattle fence. The ranch consists primarily of 4 federal grazing permits with the USDA forest service, three of which are situated directly on the international boundary with Mexico. The ranch also utilizes private land and Arizona State Trust Land. The entire ranch is subject to negative impacts revolving around illegal border crossers and drug smuggling.

While there have always been impacts regarding illegal border crossers and drug smuggling on the ranch, things changed drastically in the 1990s! With the implementation of Operation Gatekeeper in California and Operation Hold the Line in Texas, illegal border traffic was essentially forced into Arizona. The increased illegal border traffic forced our border cities and towns to fortify fencing along the

border, which in turn forced the illegal activity on to the adjacent ranch lands. The areas where it was once common to see one or two illegal border crossers, exploded into groups ranging in the number of 50 or more. With that increase, came increases in property damage, theft, fire frequency and violence. Our fences were being cut, watering facilities were being tampered with and drained, our houses were being broken into and valuables were taken. We even had vehicles stolen. On one occasion, the wife of one of our employees was forced at knife point to prepare meals for a small group. Upon arriving home, our employee tracked the illegal border crossers and led authorities to their location.

Over the years, violence in the border region had been on the increase. Nogales Station agents had been fired upon and in a few incidents, agents were wounded by apparent sniper style shootings. In 1998, Border Patrol Agent Alexander Kirpnick was murdered as he was apprehending drug smugglers in one of our grazing pastures. On March 27, 2010 while checking livestock, watering facilities and fences, my friend Rob Krentz was murdered on his ranch in Cochise County. On May 12, 2010, the ranch foreman from the neighboring ranch in Mexico was found murdered and buried in a shallow grave after he had gone missing a month earlier. On December 17, 2010, Border Patrol Agent Brian Terry, a member of BORTAC, the elite tactical unit of the Border Patrol, was murdered on the neighboring ranch to the North. His team was in the area, to rid the area of violent rip-off crews that were targeting illegal border crossers and drug carriers.

In addition to an increase in violence over the years, fire frequency had also increased on the ranches along the border. Failure to extinguish warming fires, along with fires lit by illegal border crossers in distress, and fires lit by smugglers to create diversions were most common. In the mid 2000's, an unoccupied house on the Bear Valley portion of our ranch was set ablaze by undocumented aliens when they attempted to light the propane powered lights. In 2011, we experienced one of the worst fire seasons ever. I believe there were 13 different fires that year that burned approximately two-thirds of the entire ranch. Only one of those fires was considered a naturally caused fire, all the others were either diversion fires or distress fires. In the years that followed there have been many more fires started by illegal border crossers that have cost the US tax payers millions upon millions of dollars to extinguish.

Because the ranch relies on only the grass production from summer monsoon rains, we utilize rotational grazing systems that allow for different seasons of use and rest. Each grazing permit is divided into fenced pastures and the livestock are moved into fresh pastures upon reaching a specified utilization level. Under normal circumstances this is a substantial undertaking with 4 separate herds and 30 pastures. When you ranch on or near the border you can expect that fences will be cut by illegal border crossers on regular basis, causing ranchers to constantly inspect fences to ensure cattle remain in the proper pasture. Also, when the international boundary with Mexico is a four-strand barb wire fence, you can expect

to experience problems with trespass cattle from Mexico, which also takes considerable time and effort to get the cattle back to our Mexican neighbors. The rancher bears the cost of the damage at the hands of those engaged in the illegal border activity.

When you live in and operate a ranch in an arid environment, water is an essential piece in the health and welfare of livestock, as well as the wildlife that have grown accustomed to the water we provide. Most of the water systems located on the ranch are outfitted with water faucets to allow anyone to get drink. Unfortunately, illegal border crossers have in many instances broken the water developments and drained thousands and thousands of gallons of water. Again, the rancher bears this cost, as well as, livestock and wildlife dependent on this vital resource.

Several years ago, we participated in a University of Arizona study that estimated the additional costs that border ranchers face in the wake of illegal immigration. What the study indicated is that for every 100 pounds of weight that a calf puts on over its life on the ranch, there is an additional \$15.00 in cost to the rancher. Those are the costs that I mentioned above. The average weight of a steer or heifer when marketed is 500lbs which equates to \$75.00 per head. If a ranch sold 300 head, it would equate to \$22,500.00 which is a substantial additional cost.

In addition to the additional costs, the trash left behind by illegal border crossers is a huge problem. We have literally picked up many tons of discarded duffle bags, back packs, clothing, water bottles and hauled it off to the landfill, only to go to the same spot a few months later and clean it up again. In recent years trash has been bagged up and hidden in shrubs to conceal the movement of the illegal border crossers. The trash left behind is not only unsightly but also can be dangerous to livestock and wildlife. Curious animals have been known to eat plastic bags containing remnants of food. Cloven hooved animals like deer, javelina and cattle have had issues with food container like tuna and sardine cans. The cans get stuck on an animal's foot and eventually wear through the bottom of the can, causing it to ride up the animal's leg and eventually constrict the leg as the animal grows.

Where border security measures are lacking, the situation on the ground is not a good for wildlife, yet "radical environmental groups" will throw-out concerns for wildlife and endangered species to thwart border security. Much of the area along the border is fringe habitat for so called threatened and endangered species. In many cases the Endangered Species Act (ESA) is being misapplied to species that are abundant and healthy throughout their extensive range in Mexico and as far as South America. There is a definite double standard when the border is used to define a species' limited range in the US to garner protections under ESA, but in the next breath we are told you can't have border security because wildlife species do not recognize borders.

Along the same lines wilderness designations and natural areas along the border have the effect of creating unenforceable corridors and pathways into the United

States, where vehicles, as well as mechanized and motorized equipment are not permitted. In fact, these areas are the most heavily drug trafficked routes on the ranch. We have had chance encounters with armed drug smugglers and their human mules in the Pajarito Wilderness and a local chapter of the Boy Scouts of America will not go backpacking in the area after an encounter they had on one of their field days. Wilderness areas that limit access are available to Border Patrol Agents on only foot or horseback.

Access and infrastructure in the form of roads is drastically needed along the border, otherwise the area of operation remains unwieldy. By creating better access along the international boundary, the footprint of illegal border activity will be greatly reduced.

With better access, infrastructure like barriers, walls and fences can be constructed. Better access will also facilitate implementation of technology in the form Remote Video Surveillance Systems (RVSS'), Integrated Fixed Towers (IFT's) and Mobile Surveillance Capable (MSC) Vehicles. Agents will be more efficient in securing the border when the area they are responsible for patrolling is significantly reduced.

The reality of gaining access and constructing infrastructure along the border on federal lands is a lengthy process and it needs to be streamlined. In 2001 Border Patrol had a desire to build a 4-mile road, referred to by some as the 222-interconnector road, along the Border on our ranch. Actual construction began in 2011 and as of today there is light at the end of the tunnel, nearly 17 years later. In recent years there has been added emphasis on streamlining the process and implementing projects in a timely manner. For several years now, the Coronado National Forest has had a liaison assigned, to assist Border Patrol and try to streamline projects on the Forest.

The Nogales Ranger District and the Border Patrol are to be commended for many of the recent accomplishments along the border today. I can attest to the effectiveness of these measures and how illegal traffic has been reduced in areas where law enforcement has been given more access to the border. That access reduces the footprint of the illegal activity as well as the footprint required for law enforcement, which is a positive for the environment. I believe that this is a good model that other federal and state land management agencies need to adopt.

Until access and infrastructure can be established in rugged and remote areas, it is extremely important that we do not lose focus of the other important aspects of border security. Air assets like helicopters, and fixed wing air craft, as well as, drones need to be available to detect illegal activity. Providing support from above, inserting agents, guiding them to intercept points, and providing the much-needed situational awareness.

Another area of importance, especially in remote areas is the lack the necessary communications technology for both law enforcement and civilians. This is important

as there are citizens out recreating in the forest despite the travel caution signage warnings of smuggling and illegal immigration in the area.

Of course, the most crucial factor is having boots on the ground, in the right place and at the right time to intercept illegal activity. In rugged areas Border Patrol must increase horse patrols and establish Forward Operating Bases in remote areas which have been effectively used in the past.

Funding State and Federal Attorneys' Offices must be adequate to assure timely prosecution of border related offenses. As part of that, ensuring that there are judicial resources in place to provide consequences to offenders is imperative.

Border Patrol Ranch Liaison Programs to address concerns and gather Intelligence. I am fortunate to be a part of the Citizens Advisory Boards and the Rancher Liaison Group for the Nogales Border Patrol Station. It gives me the opportunity to address security issues in areas of our operation and allows Border Patrol the ability to communicate with the public and the folks most affected by illegal activity. I view these groups as another sort of metric.

My focus here today is to highlight what I consider to be useful and positive measures to help secure the border and the lands we work on. Measurables like creating access and establishing roads along the international boundary with Mexico. Being able to get to the border is paramount if one expects to defend it. Border Patrol has done an excellent job in many areas along the border and in my estimation the easier areas have been addressed. What remains on the table is probably some of the most challenging terrain encountered along the border, most of which has no vehicle access. It will not be easy, but I have faith it will get done.

Over the last decade, I have witnessed the construction of 2 miles of a Bollard style fence, focusing attention to the international boundary with Mexico. The fence construction improved range condition by eliminating the constant flow of illegal Border Crossers that created havoc with trails and left trash throughout the landscape. It only took the resource a short time heal and become productive once again.

In establishing of 4 miles of road systems along the international boundary and simultaneously erecting, RVSS Towers and Integrated Fixed Towers, the traffic patterns were again changed nearly overnight with the flick of switch. We were no longer getting the traffic at the ranch headquarters 7 miles from the border. Again, we were witness as the range responded and trails healed. We also noticed that there were less trespass cattle from Mexico as cuts in the barb wire fence were fewer. I even queried friends who lived in the unincorporated community of Rio Rico on the northern boundary of the ranch and asked if they were experiencing the same reductions in activity, to which the answer was yes.

In the areas with better access to the border there is a notable reduction in fire frequency and with less incidence of fire spreading as the roads have enabled wildland firefighters to respond and get control of fires.

As I have stated before. I have witnessed improvement over the past few years in certain areas and it has coincided with the implementation of the measures that I have mentioned to you here today.

Thank you for your time and allowing me to come before you today!