HB 990: Texas Should Require a Study of the Proposed Fences and Walls Along the Texas-Mexico Border

HB 990 is a relatively simple bill that is of great importance. It is making sure that we as a state will analyze proposed fences and walls being contemplated for construction in Texas, either as part of funds approved by Congress, or even those proposed to be used as part of the “emergency order.”

With the present administration determined to build a wall, fence or other barrier, and much of that discussion centered on building such a barrier in the Lower Rio Grande Valley, the Lone Star Chapter of the Sierra Club is very supportive of studying the impacts of proposed walls, and if possible alternatives that would lead to less flooding and other environmental impacts. We are particularly concerned with plans to build walls in areas of great ecological or recreational importance although we oppose all of the proposed walls.

HB 990 itself requires the Texas Commission on Environmental Quality and Texas Water Development Board to:

“(1) conduct a study concerning the effects the construction of a border wall would have on storm drainage, water quality, and environmental contamination matters in this state; and

(2) develop recommendations for actions that may prevent or mitigate any negative effects on storm drainage, water quality, or environmental contamination matters resulting from the construction of a border wall.”

The current practices that have been used to build border fences are not cause for celebration. Indeed flooding and other issues impacting wildlife and water quality are well documented in Nogales, Arizona and along the Organ Cactus areas. In my role as a former member of the Good Neighbor Environmental Board reporting to the Council on Environmental Quality, we found widespread issues with current fences, and concerns about proposed fences. Most recently, in September of 2017, we released *Environmental Quality and Border Security: A 10-year Retrospective*, which can be found at [https://nepis.epa.gov/Exe/ZyPDF.cgi/P100STQO.PDF?Dockey=P100STQO.PDF](https://nepis.epa.gov/Exe/ZyPDF.cgi/P100STQO.PDF?Dockey=P100STQO.PDF).

In the letter to President Trump accompanying the report, we wrote:

“As expanded security infrastructure along our border with Mexico is being considered, the Board urges a thoughtful and considered approach that heeds the experience gained from past efforts to construct security-related infrastructure in the border region. Much has been learned in the last decade on

Cyrus Reed, Testimony on HB 990
Lone Star Chapter, Sierra Club
constructing infrastructure that is effective from a physical barrier standpoint and also allows some species to pass freely. There also have been great advances in monitoring and surveillance technologies during the past decade that make the wider use of virtual infrastructure possible, which could achieve security objectives with significantly less environmental impact and at much lower cost.

The Board strongly recommends that planning for additional security infrastructure along the U.S.-Mexico border include extensive and ongoing consultation with the people and communities that would be affected by any construction. The Board remains convinced that it is possible to achieve the security objectives we all desire and minimize environmental impacts through careful and thorough planning to identify the ideal design and technology required for diverse border landscapes.”

Nevertheless, the present Administration doesn’t appear to have taken this advice to heart. In fact, plans of this administration for building walls or fences in Hidalgo and Starr County that would repeatedly intrude into the Rio Grande floodplain. This is not only a potential treaty violation, and puts communities at risk in the event of a flood like the one that hit in 2010. Recently, Texas Monthly wrote a piece about this issue.  


Potential impacts in Hidalgo and Starr counties will be very different since the wall designs will be different. The potential impacts in Starr County could be severe because the wall that is currently will be a bollard design - 6 inch wide steel posts spaced 4 inches apart and standing 20-30 feet tall - that will repeatedly intrude into the flood plain. This is the same design that has been deployed across washes in Arizona, and has led to the bollards becoming clogged with debris creating a barrier that is impermeable to water. The planned wall will cross arroyos and other drainage, and if it is impermeable it will prevent water from draining out of communities and into the river. These are areas that flood frequently as it is. Walls in the Rio Grande floodplain will also deflect water into Mexico when the river rises, worsening flooding in cities such as Aleman.

In Hidalgo County the current plan seems to be to incorporate the border wall into the existing flood control levee, carving away the river-facing side and replacing it with a 15-18 foot tall concrete slab, then topping that with another 15 feet of bollards. Since the levee is the effective boundary of the floodplain that keeps the border wall from intruding into the floodplain, but it could still impact flooding. However, while these areas might have less flooding impacts, the use of the levee can be devastating when water gets caught in the floodplain and wildlife can not use the levee to escape floods. We are particularly concerned about the proposal to cut through Bentsen State Park, which would cut off the park with its unique ecological habitat from public use. We believe the State of Texas has an obligation to study the flooding and other impacts of proposed walls.
and fences, and to look at ways to mitigate these impacts. Please support HB 990.