

Trump Administration Waives Environmental Laws to Build Border Walls in New Mexico, Arizona

By [Center For Biological Diversity](#)

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The Trump administration announced today that it will waive dozens of environmental laws to speed construction of 18- to 30-foot-tall border walls across 80 miles of borderlands in Arizona and New Mexico. The bollard-style barriers will block the natural migrations of wildlife, damage ecosystems and harm border communities.

The three waivers sweep aside dozens of laws that protect clean air, clean water, public lands and endangered wildlife. They cover plans to build [46 miles](#) of new wall in New Mexico, [6.5 miles](#) of new wall along the Colorado River south of Yuma, and [27.5 miles](#) of replacement wall southeast of Yuma. These are the first wall-construction projects using military funds authorized by Trump's emergency declaration.

"It's bad enough that Trump's bulldozing the borderlands for a senseless wall, but now he's stealing money from the military to do it," said Laiken Jordahl, borderlands campaigner at the Center for Biological Diversity. "The only thing permanent about Trump's wall will be its destruction of wildlife and wild places. It will do nothing to stop asylum seekers or drug smugglers. Waiving these laws is an affront to borderland communities, and we'll continue to challenge it in court."

The waivers, which will take effect Wednesday, bring the number of waivers issued by the Trump administration under the REAL ID Act to nine.

The New Mexico wall will cut through the remote Chihuahuan Desert and sever a known migratory corridor for Mexican gray wolves, among the rarest mammals on the continent. The New Mexico area is also home to the endangered Aplomado falcon, as well as kit foxes, bighorn sheep and ringtails.

The Yuma wall will block people and wildlife from accessing the Lower Colorado River. It will also harm habitat for endangered birds including yellow-billed cuckoos, southwestern willow flycatchers and Yuma clapper rails.



Map of border wall waivers by Kara Clauser, Center for Biological Diversity.

The waivers are being issued during open [comment periods](#) where the public is invited to weigh in with concerns. Comments remain open until May 8. Construction contracts already have been issued for these projects.

The Center and allies have [sued](#) to challenge Trump's emergency declaration to fund border walls. The Center also has sued the administration to challenge border-wall construction in the [Rio Grande Valley](#) and near the Santa Teresa Port of Entry in [New Mexico](#). The Center's first border-related [lawsuit](#) — filed in 2017 in U.S. District Court in Tucson with U.S. Rep. Raúl Grijalva — seeks to require the Trump administration to do a detailed analysis of the environmental impacts of its border-enforcement program. All of these suits are pending.

A 2017 [study](#) by the Center identified more than 90 endangered or threatened species that would be threatened by wall construction along the 2,000-mile U.S.-Mexico border.

Beyond jeopardizing wildlife, endangered species and public lands, the U.S.-Mexico border wall is part of a larger strategy of ongoing border militarization that damages human rights, civil liberties, native lands, local businesses and international relations. The border wall impedes the natural migrations of people and wildlife that are essential to healthy diversity.

The waivers cast aside these laws:

1. The National Environmental Policy Act
2. The Endangered Species Act
3. The Federal Water Pollution Control Act
4. The National Historic Preservation Act
5. The Migratory Bird Treaty Act
6. The Migratory Bird Conservation Act
7. The Clean Air Act
8. The Archeological Resources Protection Act
9. The Paleontological Resources Preservation Act
10. The Federal Cave Resources Protection Act of 1988
11. The National Trails System Act

12. The Safe Drinking Water Act
13. The Noise Control Act
14. The Solid Waste Disposal Act
15. The Comprehensive Environmental Response, Compensation, and Liability Act
16. The Archaeological and Historic Preservation Act
17. The Antiquities Act
18. The Historic Sites, Buildings, and Antiquities Act
19. The Wild and Scenic Rivers Act
20. The Farmland Protection Policy Act
21. The Federal Land Policy and Management Act
22. The National Fish and Wildlife Act of 1956
23. The Fish and Wildlife Coordination Act
24. The Wild Horse and Burro Act
25. The Administrative Procedure Act
26. The Rivers and Harbors Act of 1899
27. The Eagle Protection Act
28. The Native American Graves Protection and Repatriation Act
29. The American Indian Religious Freedom Act
30. The Military Lands Withdrawal Act of 1999
31. The Sikes Act
32. The Reclamation Project Act of 1939

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