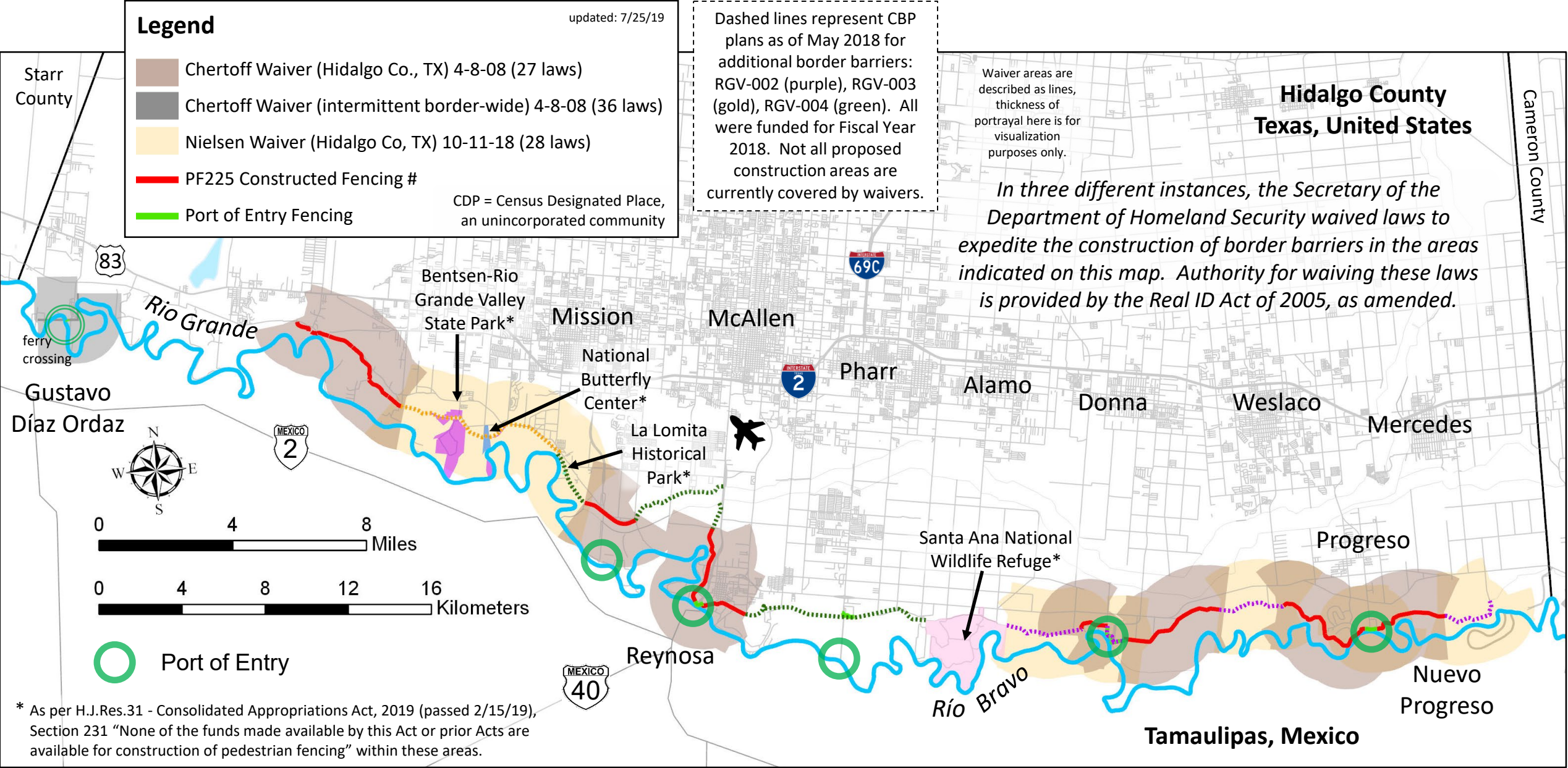


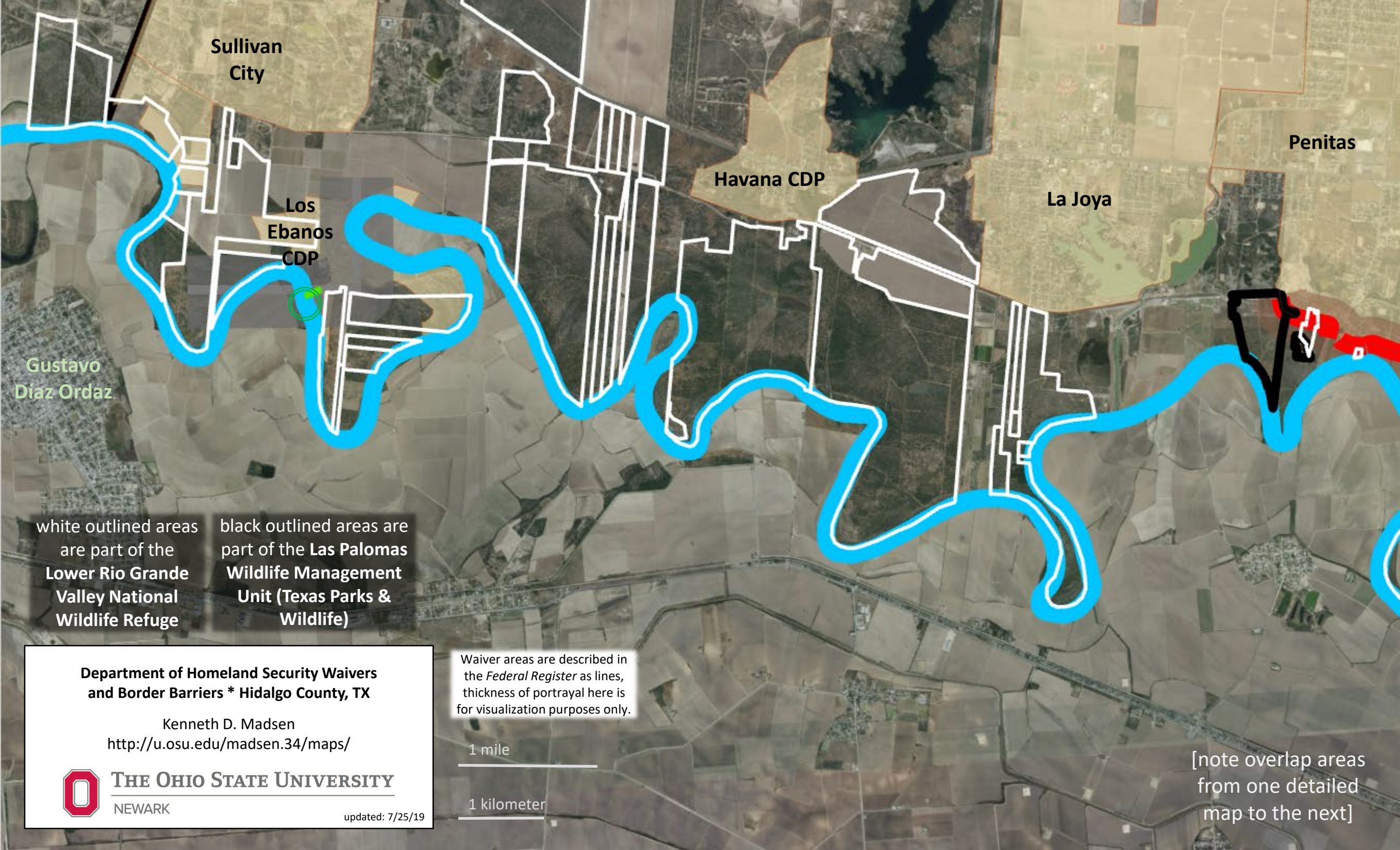
# Department of Homeland Security Waivers and Border Barriers \* Hidalgo County, TX

Kenneth D. Madsen  
Associate Professor of Geography  
<http://u.osu.edu/madsen.34/maps/>



# Much of the PF225 fencing in Hidalgo County is built as a levee wall. In that design the river-facing slope of the levee is removed and replaced with a vertical concrete slab to make the area more difficult to cross. More traditional fencing materials are frequently placed on top of the cement wall, especially near vehicle crossing ramps. See photographs at the end of the .pdf version of this file for visuals of the levee wall design.





Sullivan  
City

Penitas

Havana CDP

La Joya

Los  
Ebanos  
CDP

Gustavo  
Díaz Ordaz

white outlined areas  
are part of the  
**Lower Rio Grande  
Valley National  
Wildlife Refuge**

black outlined areas are  
part of the **Las Palomas  
Wildlife Management  
Unit (Texas Parks &  
Wildlife)**

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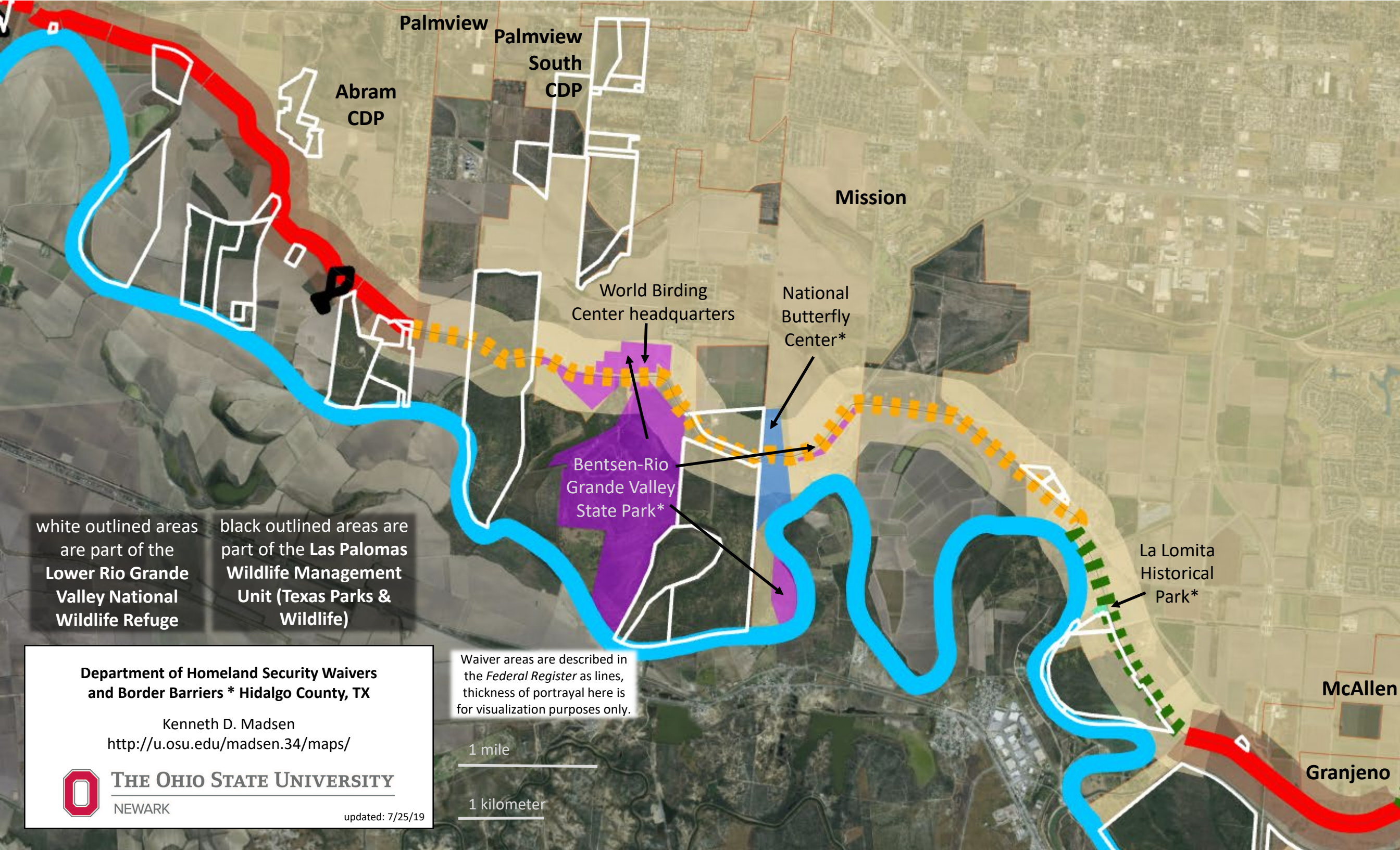
Waiver areas are described in  
the *Federal Register* as lines,  
thickness of portrayal here is  
for visualization purposes only.

1 mile

1 kilometer

[note overlap areas  
from one detailed  
map to the next]





white outlined areas  
are part of the  
**Lower Rio Grande  
Valley National  
Wildlife Refuge**

black outlined areas are  
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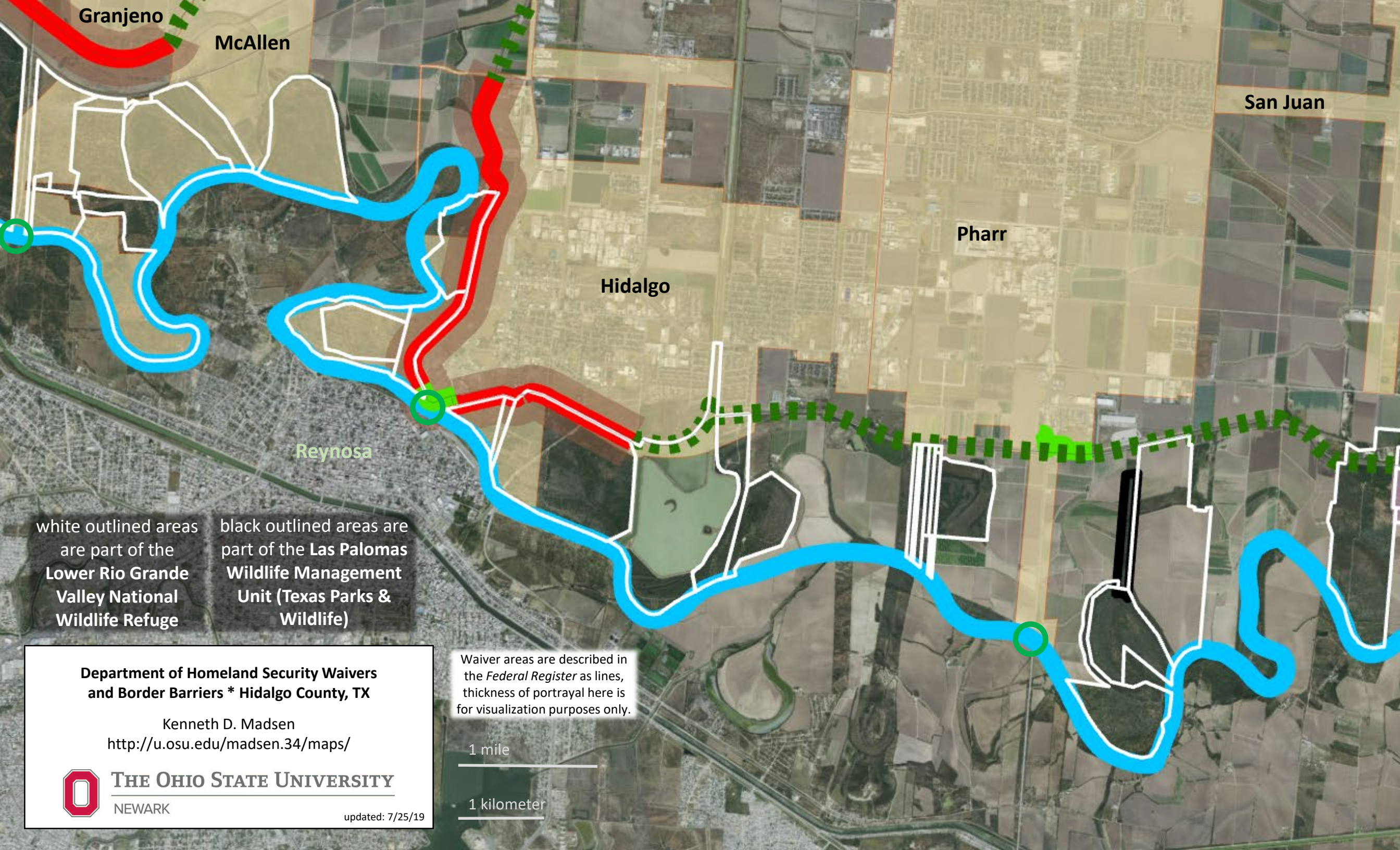
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1 mile

1 kilometer





Granjeno

McAllen

San Juan

Pharr

Hidalgo

Reynosa

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Wildlife Refuge

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1 mile

1 kilometer



San  
Juan

Donna

Santa Ana  
National  
Wildlife  
Refuge\*

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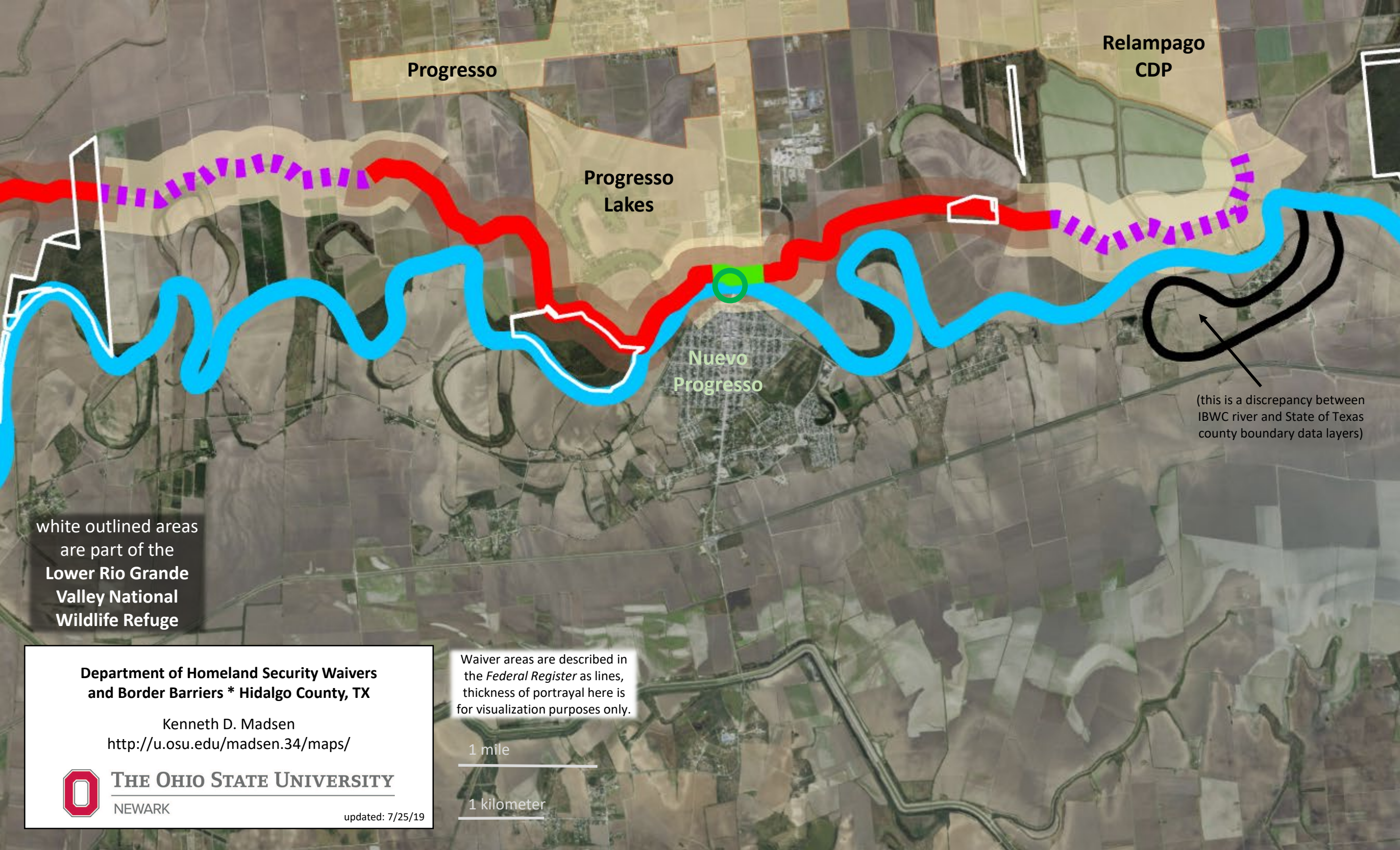
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1 mile

1 kilometer







Progresso

Relampago  
CDP

Progresso  
Lakes

Nuevo  
Progresso

(this is a discrepancy between  
IBWC river and State of Texas  
county boundary data layers)

white outlined areas  
are part of the  
**Lower Rio Grande  
Valley National  
Wildlife Refuge**

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1 mile


1 kilometer



Chertoff 4/8/08 (Hidalgo Co., TX)	Chertoff 4/8/08 (Intermittent)	Nielsen 10/11/18 (Hidalgo Co., TX)
{1} The National Environmental Policy Act (Pub. L. 91-190, 83 Stat. 852 (Jan. 1,1970) (42 U.S.C. 4321 <i>et seq.</i> ))	{1} The National Environmental Policy Act (Pub. L. 91-190, 83 Stat. 852 (Jan. 1, 1970) (42 U.S.C. 4321 <i>et seq.</i> ))	{1} The National Environmental Policy Act (Pub. L. 91–190, 83 Stat. 852 (Jan. 1, 1970) (42 U.S.C. 4321 <i>et seq.</i> ))
{2} the Endangered Species Act (Pub. L. 93-205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 <i>et seq.</i> ))	{2} the Endangered Species Act (Pub. L. 93-205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 <i>et seq.</i> ))	{2} the Endangered Species Act (Pub. L. 93–205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 <i>et seq.</i> ))
{3} the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act) (33 U.S.C. 1251 <i>et seq.</i> ))	{3} the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act) (33 U.S.C. 1251 <i>et seq.</i> ))	{3} the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act (33 U.S.C. 1251 <i>et seq.</i> ))
{4} the National Historic Preservation Act (Pub. L. 89-665, 80 Stat. 915 (Oct. 15, 1966) (16 U.S.C. 470 <i>et seq.</i> ))	{4} the National Historic Preservation Act (Pub. L. 89-665, 80 Stat. 915 (Oct. 15, 1966) (16 U.S.C. 470 <i>et seq.</i> ))	{4} the National Historic Preservation Act (Pub. L. 89–665, 80 Stat. 915 (Oct. 15, 1966), as amended, repealed, or replaced by Public Law 113–287 (Dec.19, 2014) (formerly codified at 16 U.S.C. 470 <i>et seq.</i> , now codified at 54 U.S.C. 100101 note and 54 U.S.C. 300101 <i>et seq.</i> ))
{5} the Migratory Bird Treaty Act (16 U.S.C. 703 <i>et seq.</i> )	{5} the Migratory Bird Treaty Act (16 U.S.C. 703 <i>et seq.</i> )	{5} the Migratory Bird Treaty Act (16 U.S.C. 703 <i>et seq.</i> )
		{6} the Migratory Bird Conservation Act (16 U.S.C. 715 <i>et seq.</i> )
{6} the Clean Air Act (42 U.S.C. 7401 <i>et seq.</i> )	{6} the Clean Air Act (42 U.S.C. 7401 <i>et seq.</i> )	{7} the Clean Air Act (42 U.S.C. 7401 <i>et seq.</i> )
{7} the Archeological Resources Protection Act (Pub. L. 96-95, 16 U.S.C. 470aa <i>et seq.</i> )	{7} the Archeological Resources Protection Act (Pub. L. 96-95, 16 U.S.C. 470aa <i>et seq.</i> )	{8} the Archeological Resources Protection Act (Pub. L. 96–95 (16 U.S.C. 470aa <i>et seq.</i> ))
		{9} the Paleontological Resources Preservation Act (16 U.S.C. 470aaa <i>et seq.</i> )
		{10} the Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301 <i>et seq.</i> )
{8} the Safe Drinking Water Act (42 U.S.C. 300f <i>et seq.</i> )	{8} the Safe Drinking Water Act (42 U.S.C. 300f <i>et seq.</i> )	{11} the Safe Drinking Water Act (42 U.S.C. 300f <i>et seq.</i> )
{9} the Noise Control Act (42 U.S.C. 4901 <i>et seq.</i> )	{9} the Noise Control Act (42 U.S.C. 4901 <i>et seq.</i> )	{12} the Noise Control Act (42 U.S.C. 4901 <i>et seq.</i> )
{10} the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 <i>et seq.</i> )	{10} the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 <i>et seq.</i> )	{13} the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 <i>et seq.</i> )
{11} the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 <i>et seq.</i> )	{11} the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 <i>et seq.</i> )	{14} the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 <i>et seq.</i> )
{12} the Archaeological and Historic Preservation Act (Pub. L. 86-523, 16 U.S.C. 469 <i>et seq.</i> )	{12} the Archaeological and Historic Preservation Act (Pub. L. 86-523, 16 U.S.C. 469 <i>et seq.</i> )	{15} the Archaeological and Historic Preservation Act (Pub. L. 86–523, as amended, repealed, or replaced by Pub. L. 113–287 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 469 <i>et seq.</i> , now codified at 54 U.S.C. 312502 <i>et seq.</i> ))
{13} the Antiquities Act (16 U.S.C. 431 <i>et seq.</i> )	{13} the Antiquities Act (16 U.S.C. 431 <i>et seq.</i> )	{16} the Antiquities Act (formerly codified at 16 U.S.C. 431 <i>et seq.</i> , now codified 54 U.S.C. 320301 <i>et seq.</i> )


Department of Homeland Security Waivers  
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(waiver listing continued on next page)

{14} the Historic Sites, Buildings, and Antiquities Act (16 U.S.C. 461 <i>et seq.</i> )	{14} the Historic Sites, Buildings, and Antiquities Act (16 U.S.C. 461 <i>et seq.</i> )	{17} the Historic Sites, Buildings, and Antiquities Act (formerly codified at 16 U.S.C. 461 <i>et seq.</i> , now codified at 54 U.S.C. 3201–320303 & 320101–320106)
	{15} the Wild and Scenic Rivers Act (Pub. L. 90-542, 16 U.S.C. 1281 <i>et seq.</i> )	
{15} the Farmland Protection Policy Act (7 U.S.C. 4201 <i>et seq.</i> )	{16} the Farmland Protection Policy Act (7 U.S.C. 4201 <i>et seq.</i> )	{18} the Farmland Protection Policy Act (7 U.S.C. 4201 <i>et seq.</i> )
{16} the Coastal Zone Management Act (Pub. L. 92-583, 16 U.S.C. 1451 <i>et seq.</i> )	{17} the Coastal Zone Management Act (Pub. L. 92-583, 16 U.S.C. 1451 <i>et seq.</i> )	{19} the Coastal Zone Management Act (Pub. L. 92–583 (16 U.S.C. 1451, <i>et seq.</i> ))
	{18} the Wilderness Act (Pub. L. 88-577, 16 U.S.C. 1131 <i>et seq.</i> )	
{17} the Federal Land Policy and Management Act (Pub L. 94- 579, 43 U.S.C. 1701 <i>et seq.</i> )	{19} the Federal Land Policy and Management Act (Pub L. 94- 579, 43 U.S.C. 1701 <i>et seq.</i> )	{20} the Federal Land Policy and Management Act (Pub. L. 94–579 (43 U.S.C. 1701 <i>et seq.</i> ))
{18} the National Wildlife Refuge System Administration Act (Pub. L. 89-669, 16 U.S.C. 668dd-668ee)	{20} the National Wildlife Refuge System Administration Act (Pub. L. 89-669, 16 U.S.C. 668dd-668ee)	{21} the National Wildlife Refuge System Administration Act (Pub. L. 89–669, 16 U.S.C. 668dd–668ee)
{19} the Fish and Wildlife Act of 1956 (Pub. L. 84-1024, 16 U.S.C. 742a, <i>et seq.</i> )	{21} the Fish and Wildlife Act of 1956 (Pub. L. 84-1024, 16 U.S.C. 742a, <i>et seq.</i> )	{22} National Fish and Wildlife Act of 1956 (Pub. L. 84–1024 (16 U.S.C. 742a, <i>et seq.</i> ))
{20} the Fish and Wildlife Coordination Act (Pub. L. 73- 121, 16 U.S.C. 661 <i>et seq.</i> )	{22} the Fish and Wildlife Coordination Act (Pub. L. 73- 121, 16 U.S.C. 661 <i>et seq.</i> )	{23} the Fish and Wildlife Coordination Act (Pub. L. 73–121 (16 U.S.C. 661 <i>et seq.</i> ))
{21} the Administrative Procedure Act (5 U.S.C. 551 <i>et seq.</i> )	{23} the Administrative Procedure Act (5 U.S.C. 551 <i>et seq.</i> )	{24} the Administrative Procedure Act (5 U.S.C. 551 <i>et seq.</i> )
<div><div><div>Department of Homeland Security Waivers and Border Barriers * Hidalgo County, TX</div><div>Kenneth D. Madsen <a href="http://u.osu.edu/madsen.34/maps/">http://u.osu.edu/madsen.34/maps/</a></div><div>THE OHIO STATE UNIVERSITY NEWARK</div><div>updated: 7/25/19</div></div></div>	{24} the Otay Mountain Wilderness Act of 1999 (Pub. L. 106-145)	
	{25} Sections 102(29) and 103 of Title I of the California Desert Protection Act (Pub. L. 103-433), 50 Stat. 1827	
	{26} the National Park Service Organic Act (Pub. L. 64-235, 16 U.S.C. 1, 2-4)	
	{27} the National Park Service General Authorities Act (Pub. L. 91-383, 16 U.S.C. 1a-1 <i>et seq.</i> )	
	{28} Sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Pub. L. 95-625)	
	{29} Sections 301(a)-(f) of the Arizona Desert Wilderness Act (Pub. L. 101-628)	
{22} the Rivers and Harbors Act of 1899 (33 U.S.C. 403)	{30} the Rivers and Harbors Act of 1899 (33 U.S.C. 403)	{25} the River and Harbors Act of 1899 (33 U.S.C. 403))
{23} the Eagle Protection Act (16 U.S.C. 668 <i>et seq.</i> )	{31} the Eagle Protection Act (16 U.S.C. 668 <i>et seq.</i> )	{26} the Eagle Protection Act (16 U.S.C. 668 <i>et seq.</i> )
{24} the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 <i>et seq.</i> )	{32} the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 <i>et seq.</i> )	{27} the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 <i>et seq.</i> )
{25} the American Indian Religious Freedom Act (42 U.S.C. 1996)	{33} the American Indian Religious Freedom Act (42 U.S.C. 1996)	{28} the American Indian Religious Freedom Act (42 U.S.C. 1996)
{26} the Religious Freedom Restoration Act (42 U.S.C. 2000bb)	{34} the Religious Freedom Restoration Act (42 U.S.C. 2000bb)	
	{35} the National Forest Management Act of 1976 (16 U.S.C. 1600 <i>et seq.</i> )	
	{36} and the Multiple Use and Sustained Yield Act of 1960 (16 U.S.C. 528-531)	
{27} the Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6303-05)		



### Summary Statistics for Hidalgo County, Texas:

river border = 96.2 miles

total length of DHS waiver coverage = 37.9 miles

total length of DHS waivers, including duplicates = 41.1 miles

border covered by DHS waivers = approx. 62.6 miles or 65%

(measured by shortest line from end of each waiver to river bank)

total length of PF225 barriers = 20.0 miles

total length of POE barriers = 2.3 miles

total length of barriers proposed May 2018 = 24.4 miles

(by my estimate based on CBP map, 25 miles per CBP narrative)

Disclaimer: The maps and data here were prepared with great care and a focus on accurate representation. Nonetheless, they are meant for academic research and general reference rather than definitive legal purposes. Factors that impact the final layout and accuracy include (for example): base map, data layers, judgement calls and interpretations when conflicts or unclear data was encountered, rounding, level of source detail, and map projection. Map projection used for these maps was adapted from USA Contiguous Equidistant Conic with a focus on the border region and a central meridian of 107° 08' W.

Data Acknowledgements: ESRI, Google Maps/Earth, MapQuest, Hidalgo County Appraisal District, International Boundary and Water Commission, U.S. Department of Homeland Security, Texas Parks & Wildlife, Texas Natural Resources Information System, University of Arizona Spatial Data Explorer, DataBasin, *Federal Register*, Sierra Club Borderlands, Defenders of Wildlife, Texas Civil Rights Project, Denise L. Gilman, Dan Millis, Scott Nicol, Bryan Bird, Matt Clark. My apologies for any inadvertent omissions.

#### **Department of Homeland Security Waivers and Border Barriers \* Hidalgo County, TX**

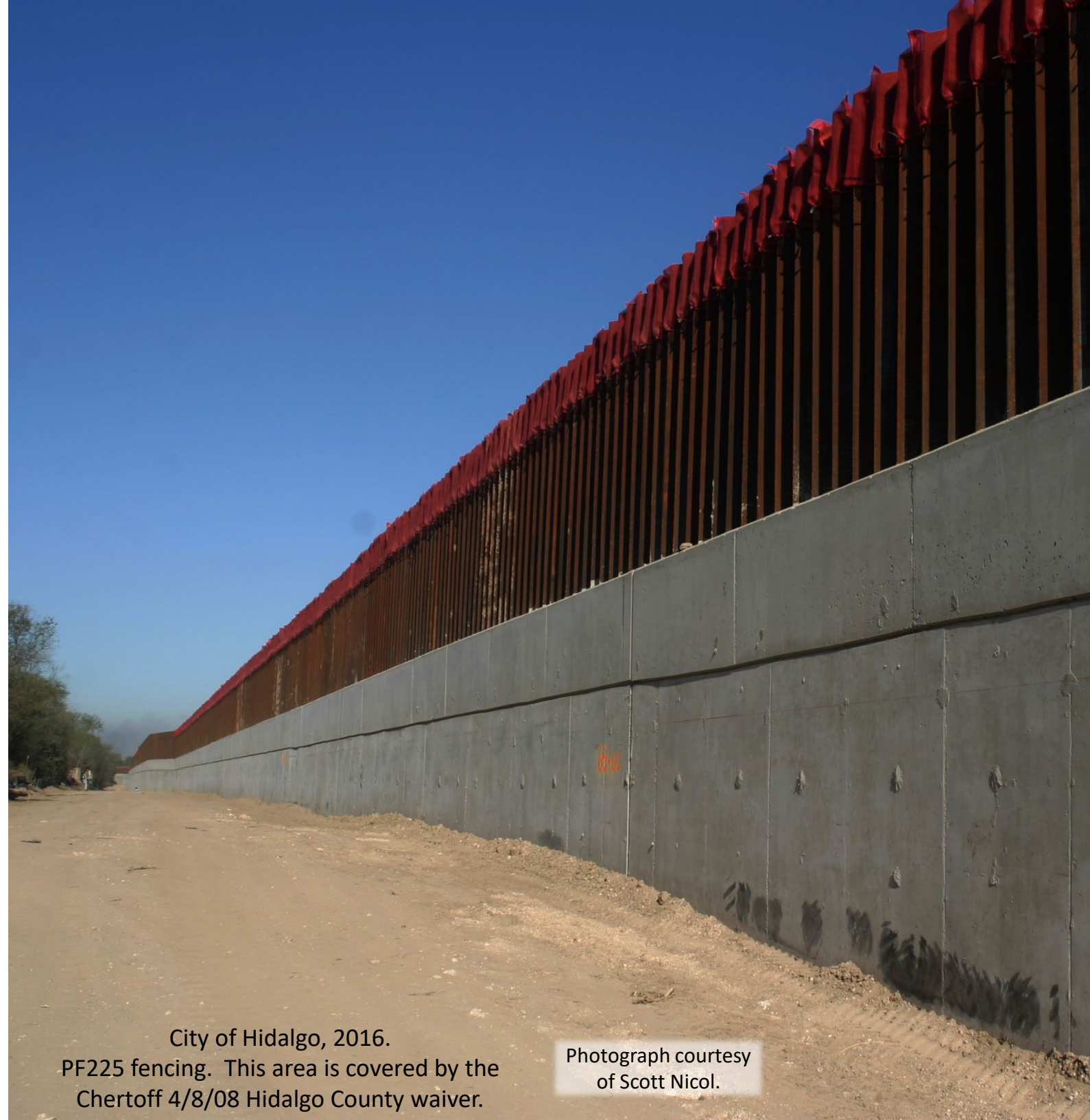
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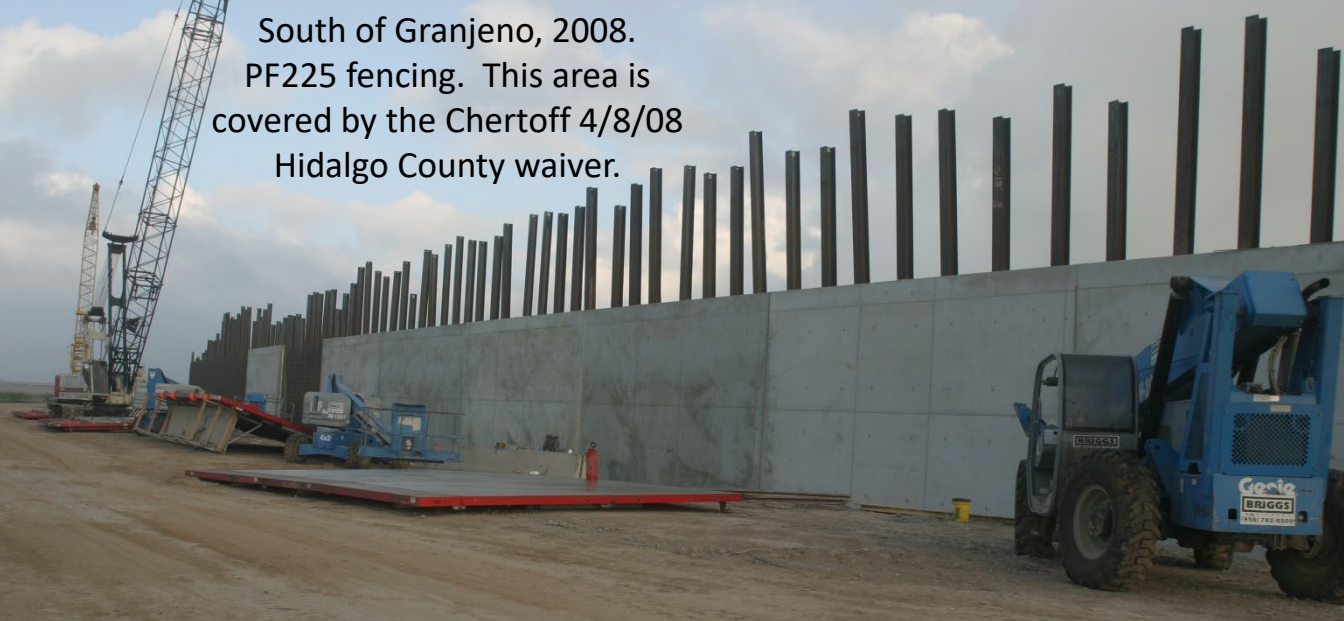
updated: 7/25/19



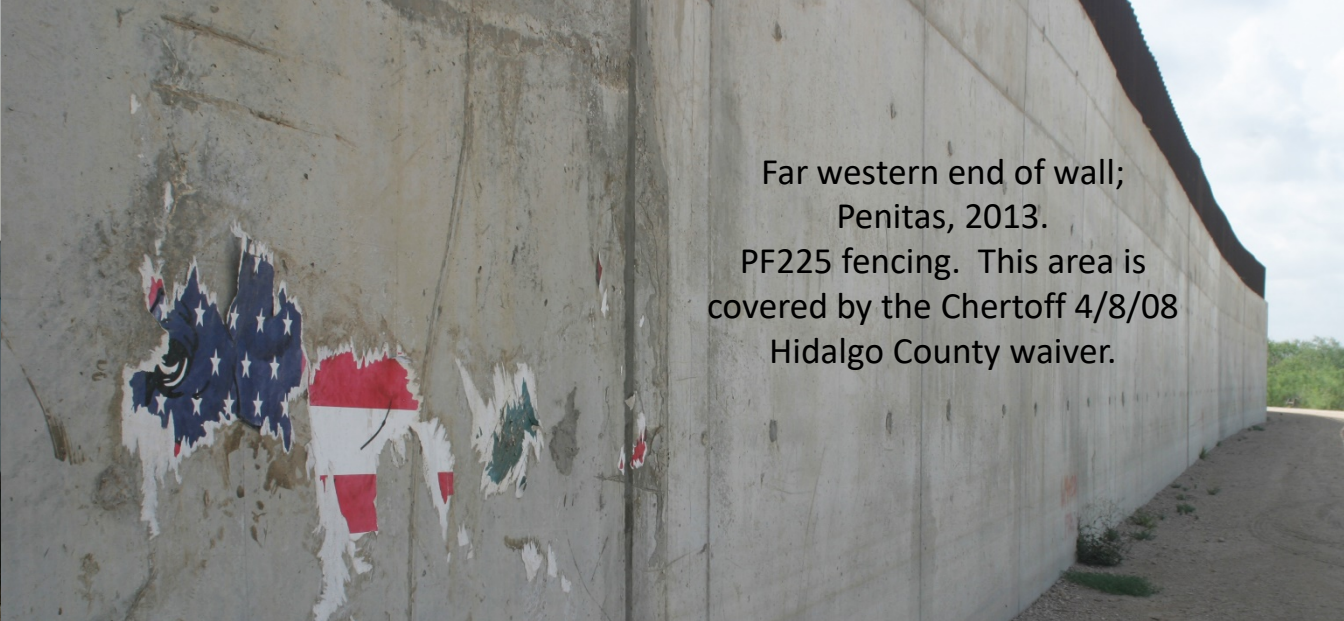
City of Hidalgo, 2016.  
PF225 fencing. This area is covered by the  
Chertoff 4/8/08 Hidalgo County waiver.

Photograph courtesy  
of Scott Nicol.

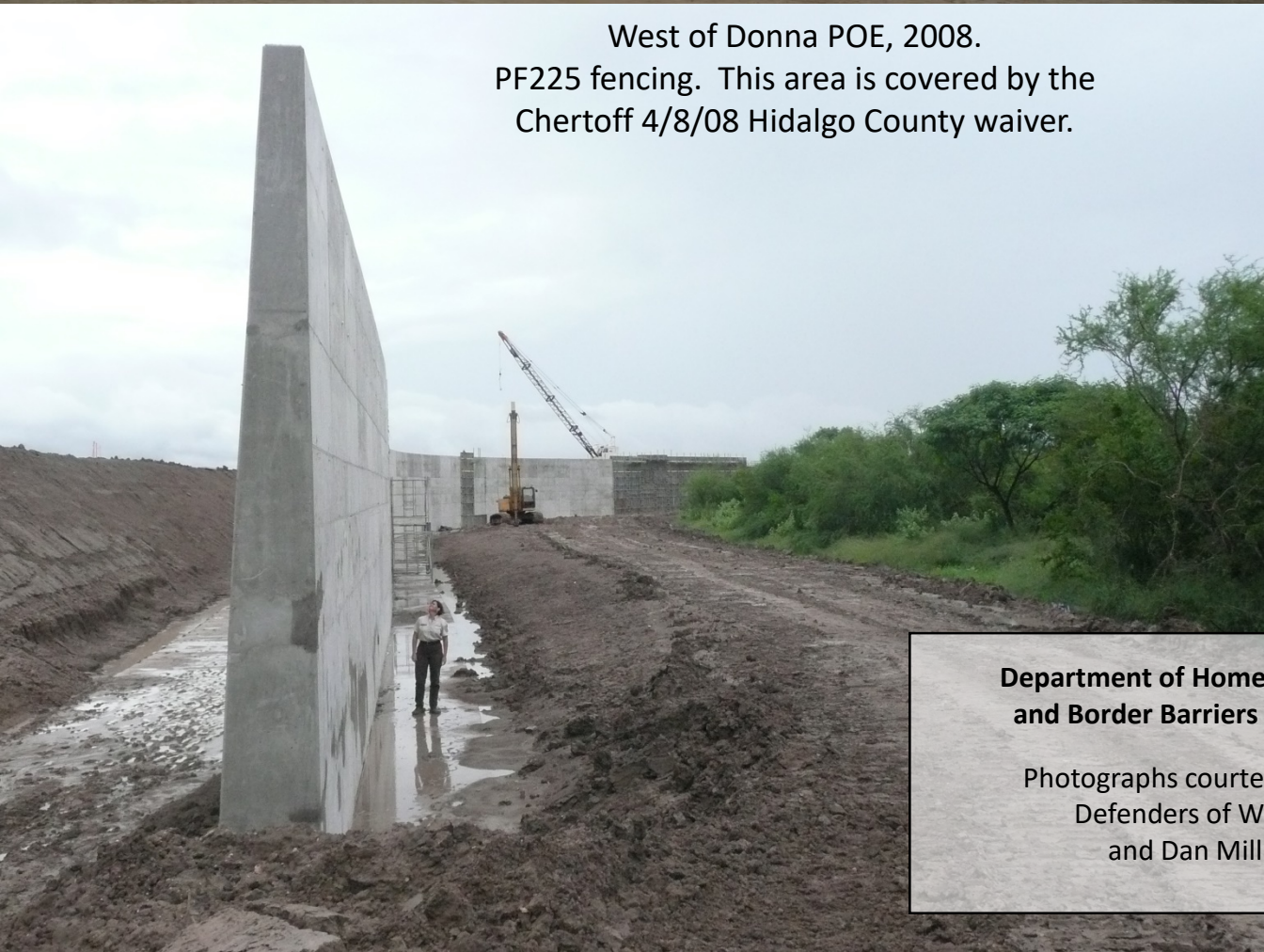




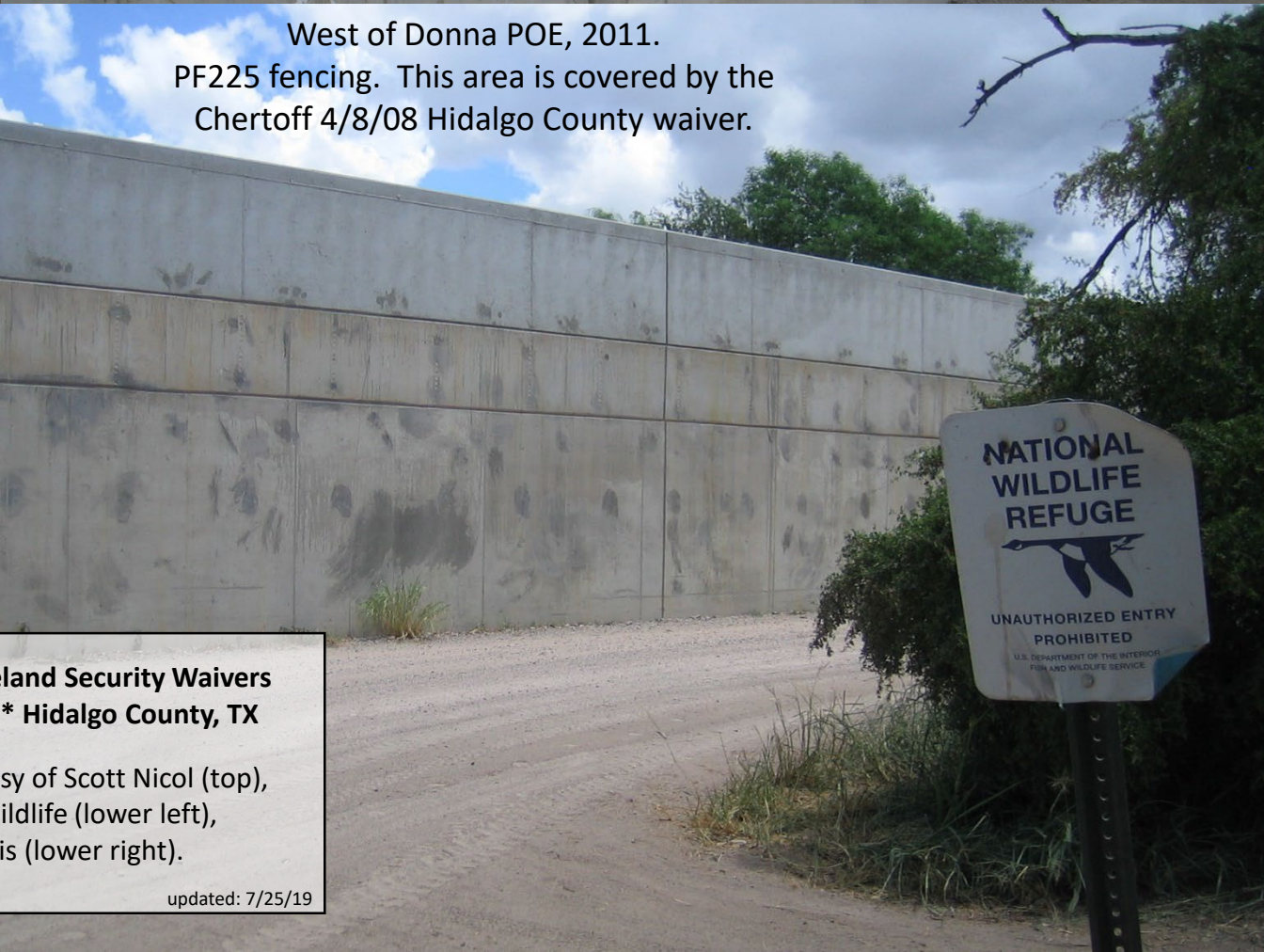
South of Granjeno, 2008.  
PF225 fencing. This area is  
covered by the Chertoff 4/8/08  
Hidalgo County waiver.



Far western end of wall;  
Penitas, 2013.  
PF225 fencing. This area is  
covered by the Chertoff 4/8/08  
Hidalgo County waiver.



West of Donna POE, 2008.  
PF225 fencing. This area is covered by the  
Chertoff 4/8/08 Hidalgo County waiver.



West of Donna POE, 2011.  
PF225 fencing. This area is covered by the  
Chertoff 4/8/08 Hidalgo County waiver.

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Photographs courtesy of Scott Nicol (top),  
Defenders of Wildlife (lower left),  
and Dan Millis (lower right).

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City of Hidalgo, 2016.  
PF225 fencing. This area is covered by the  
Chertoff 4/8/08 Hidalgo County waiver.



World Birding  
Center; Hidalgo, 2011.  
This area is covered by  
the Chertoff 4/8/08  
Hidalgo County waiver.

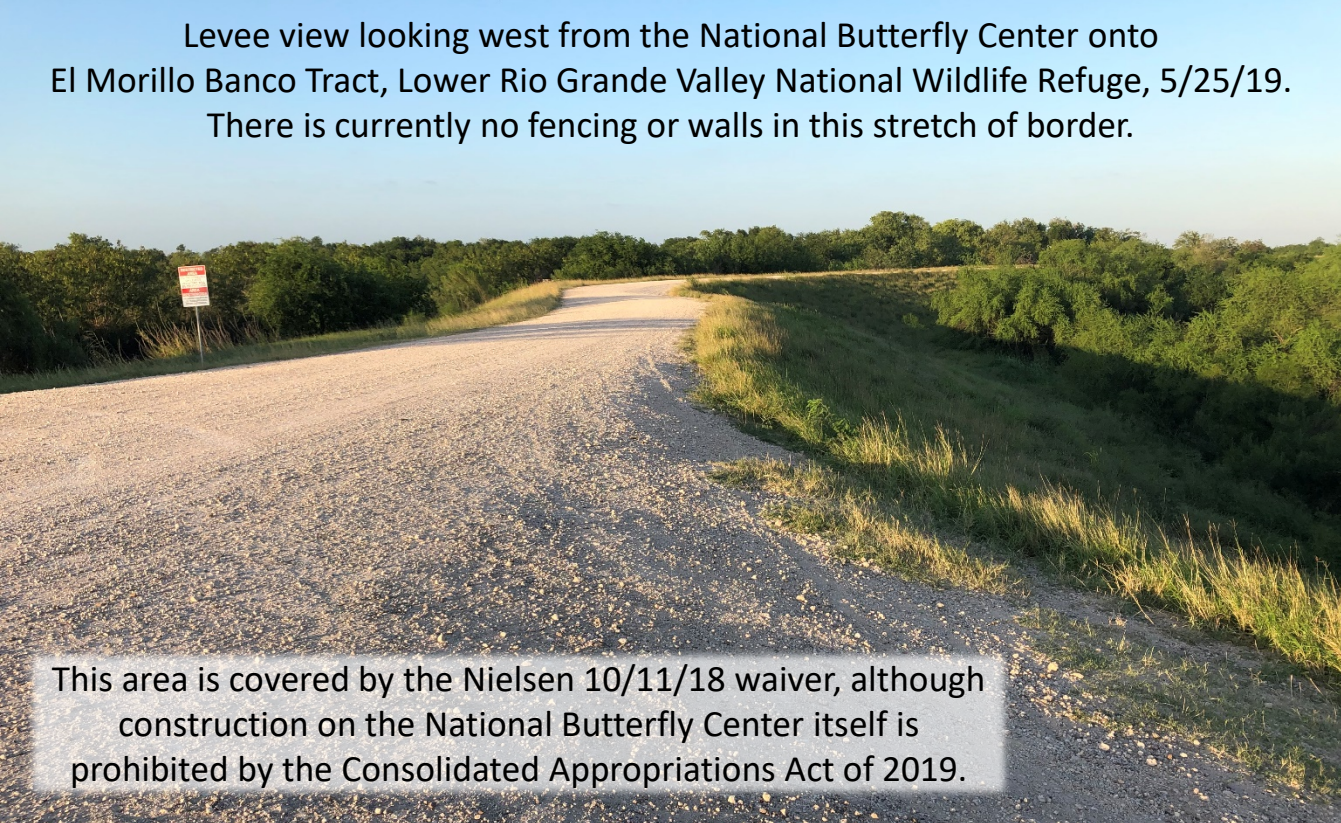
**Department of Homeland Security Waivers  
and Border Barriers \* Hidalgo County, TX**

Photographs courtesy of  
Scott Nicol (left) and Dan Millis (right).

updated: 7/25/19

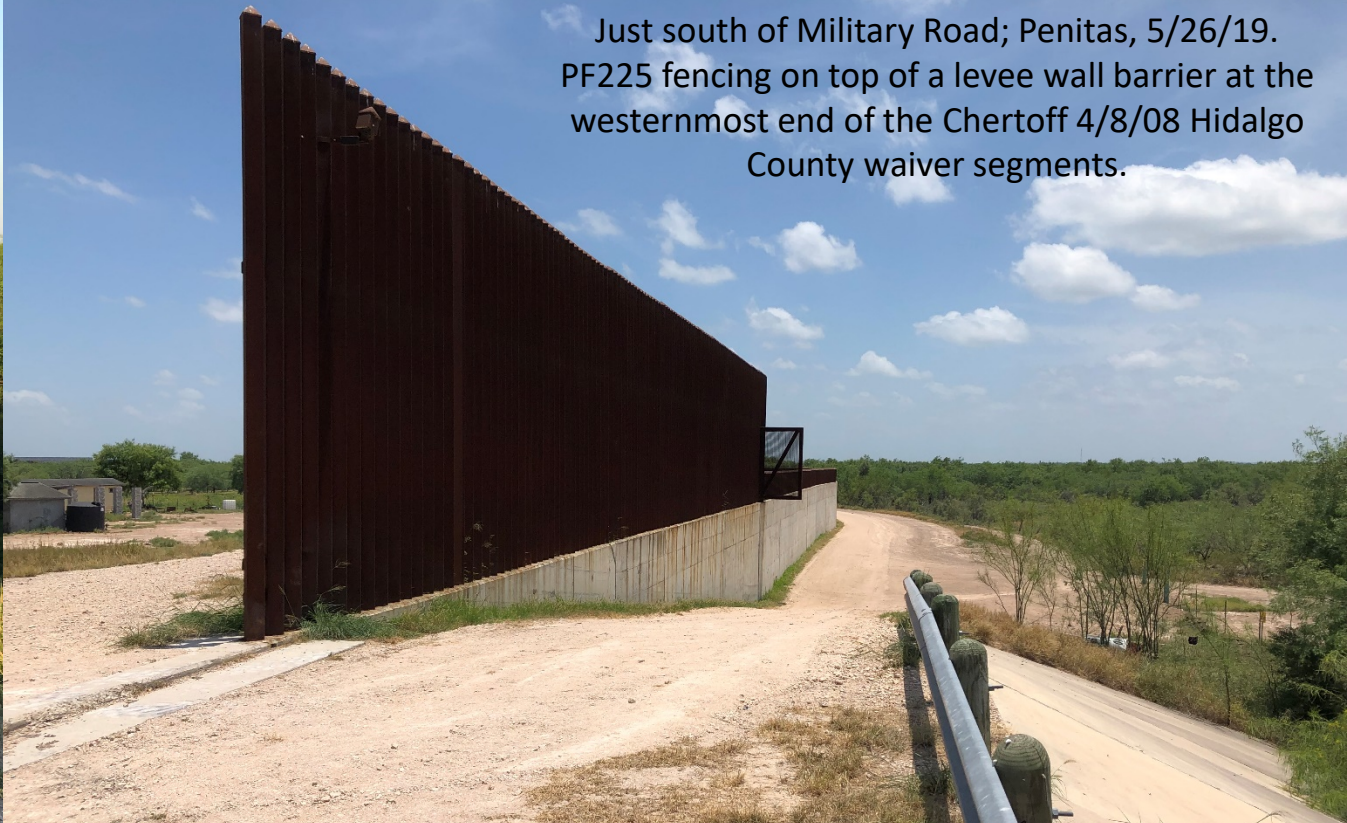


Levee view looking west from the National Butterfly Center onto El Morillo Banco Tract, Lower Rio Grande Valley National Wildlife Refuge, 5/25/19. There is currently no fencing or walls in this stretch of border.

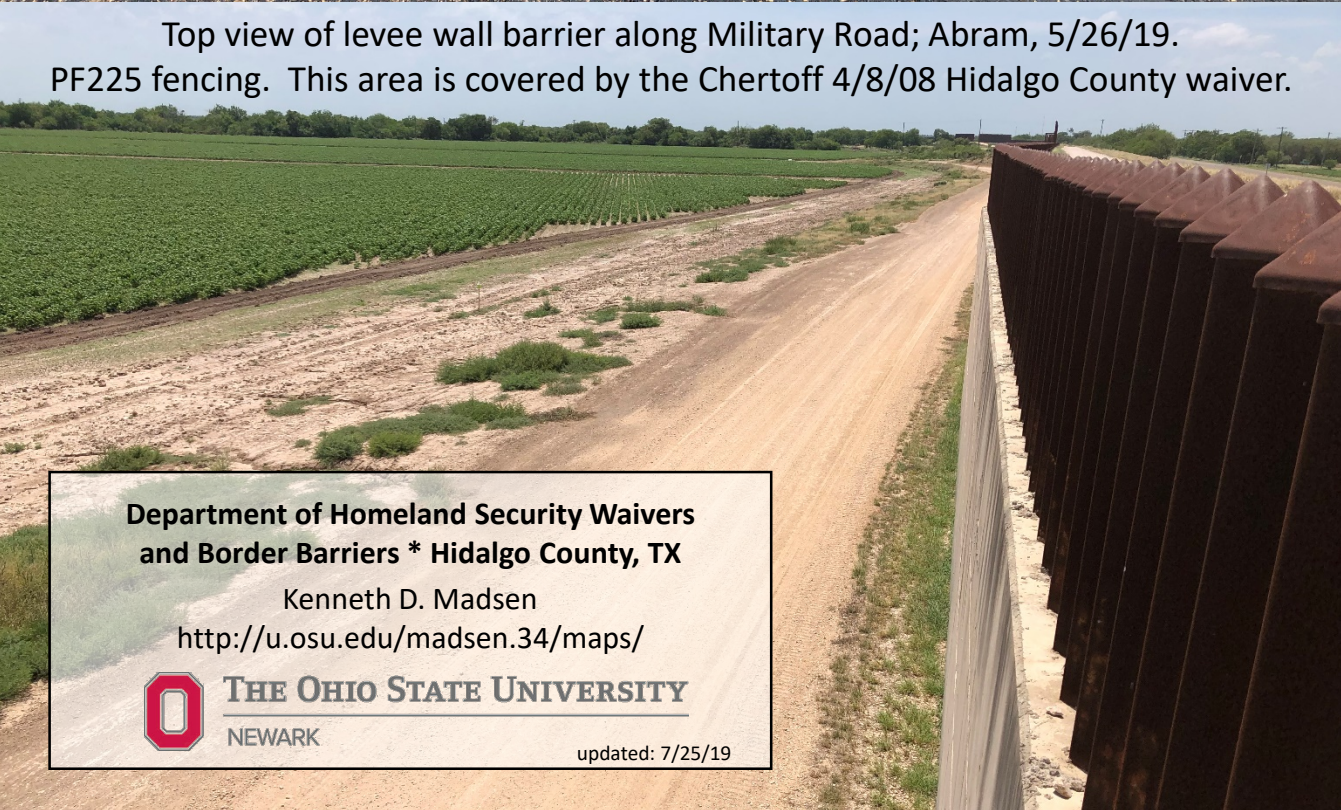


This area is covered by the Nielsen 10/11/18 waiver, although construction on the National Butterfly Center itself is prohibited by the Consolidated Appropriations Act of 2019.

Just south of Military Road; Penitas, 5/26/19. PF225 fencing on top of a levee wall barrier at the westernmost end of the Chertoff 4/8/08 Hidalgo County waiver segments.



Top view of levee wall barrier along Military Road; Abram, 5/26/19. PF225 fencing. This area is covered by the Chertoff 4/8/08 Hidalgo County waiver.




Top view of levee wall barrier along Military Road (approximately 1.5 miles southeast of photograph to the left); Abram, 5/26/19. PF225 fencing. This area is covered by the Chertoff 4/8/08 Hidalgo County waiver.



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