January 21, 2010

David V. Aguilar  
Acting Deputy Commissioner  
U.S. Customs and Border Protection  
Office of the Commissioner  
1300 Pennsylvania Avenue, Suite 4.4A  
Washington, DC 20229

Dear Deputy Commissioner Aguilar:

I refer to various meetings held between the United States Section, International Boundary and Water Commission (USIBWC) and U.S. Customs and Border Protection (CBP), for the purpose of discussing three projects of border security fences designated as O-1, O-2 and O-3, along the Rio Grande in the areas of Roma, Texas, Rio Grande City, Texas and Los Ebanos, Texas, respectively. The projects were presented to USIBWC by CBP, for approval to be partly placed on the floodplain of the Rio Grande.

The hydraulic effects of these projects on the flows and water surface elevations in the Rio Grande were analyzed by CBP through several iterations of alternative locations of the projects. The final alternatives were presented to USIBWC on January 4, 2010, and discussed with CBP during a meeting held on January 6, 2010. The results presented at that time showed substantial increases in water surface elevations and deflections of flow at several points of all three projects.

It must be noted that the models for all three fence segments are based on the fence behaving as a solid wall. This behavior may be approximated by the collection of debris against the fence. Nonetheless, some flow will occur through the fence, which would cause a deviation from the calculated results.

We appreciate the effort expended by CBP on the extensive studies performed for these projects. However, given the model results obtained by CBP and the potential impacts that may be caused on the international boundary, the USIBWC is not in a position to approve construction of the O-1, O-2 and O-3 fence projects. Should you have any question on this matter, please contact me at 915-832-4101.

Sincerely,

[Signature]

Edward Drusina, P.E.  
Commissioner

cc:  
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