

EXHIBIT 18

Affidavit of John Ladd

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BEFORE ME, the undersigned authority, personally appeared, John W. Ladd, who upon being first duly sworn, states as follows:

1. My name is John W. Ladd. My family owns a 16,400 acre ranch on the Arizona/Mexico border, near the town of Naco, Arizona. I have lived on the property for 61 years. The ranch has been owned by my family since it was homesteaded in 1896 by my mother's grandparents. I currently reside on the property, with my wife of 38 years, JoBeth, my 90 year old father, Jack, and his wife, Margarite. We all raise beef cattle on the ranch, and our three sons, Justin, Randy, and Ken, and our two grandsons, Jack, and Owen, also work on the ranch with us. Ranching on this land is my heritage—passed from previous generations to me, and it is a way of life I have always hoped to pass on to many generations to come.

2. I graduated from Bisbee High School in 1973, attended Northern Arizona University from 1973 to 1975, and Cochise College in 1976. I was a carpenter apprentice in 1979 and a journeyman carpenter in 1982. However, my primary life's work is raising beef cattle on the ranch. Our ranch is what's known as a cow-calf operation, which means that we keep a permanent herd of cattle to produce calves for sale. On our ranch, we raise our own replacement heifers, but bring in

register bulls for the purposes of breeding. We sell the calves when they reach 500-700 pounds, generally at local cattle auctions in the towns of Wilcox and Marana, Arizona.

3. When I was growing up, being so close to the border made no real difference in my life, but in the past decades, because of the failures of the Department of Homeland Security (DHS) and its predecessor agency, illegal border crossing has become such a problem that it has ruled our lives and dictated the way we ranch. An endless stream of illegal border crossers has trashed my land and destroyed my enjoyment of my property.

4. I believe strongly in adopting effective rangeland conservation practices, and I am a member of a number of conservation organizations. My father and I are members of and active in our area conservation district, the Hereford Natural Resource Conservation District (HNRCD). My father is the past chairman for the HNRCD, and I am a supervisor for the district. The two main practices we utilize are brush management and soil erosion control. We have two D-8 Caterpillars that we have used in clearing and reseeding over 6000 acres on the ranch. We have built over 100 earthen berms to prevent erosion. I am also a member of the Arizona Cattle Growers Association as well as a member of its Border Commission. I am an advisor for the Graham/Cochise Cattle Growers. I am a member of Cochise Counties Planning Board which advises the County Supervisors on land use. I am a

charter member of Cochise Conservation Recharge Network which develops projects to recharge and conserve water. Finally, I am a charter member of Border Patrol Stakeholders. I am also an advisor for a new Program, Restore Arizona, sponsored by the Bureau of Land Management and the Natural Resource Conservation Service with the goal of brush management statewide.

5. My enjoyment of my property has been substantially diminished over the past few decades by the environmental impact of illegal border crossers encouraged to illegally enter the U.S. because of the Department of Homeland Security (DHS)'s policies and actions. Over the past few decades, the crossing over my property by illegal aliens has changed. Though my property has always been a crossing point, the size of the flow of illegal border crossers trespassing across my land has dramatically increased over the years. In the 1970s, I estimate there were only 1-2 crossers a month. But starting in the 1980s, this gradual trickle increased. At high points in the 1990s, there have been 200 to 300 per day. The cumulative number of border crossers trespassing on my land who have been caught by the border patrol since the 1980s must be hundreds of thousands by now. What became clear to me was seeing that, if the U.S. government allows previous illegal border crossers to stay, more illegal border crossers will follow.

6. I feel, personally and as a property-owner, I have, in reality and in effect, been repeatedly harmed by DHS's actions and immigration policies. The

environmental impact of so many illegal aliens crossing my property has been extreme. First, there is the sheer volume of the trash they leave behind. I have had to pick up approximately 20 tons of trash on my property that is left by illegal aliens crossing through. It is an overwhelming amount of trash, too much for us to pick up even though we are constantly trying to clear as much as possible.

Unfortunately, whatever trash we are not able to pick up ourselves ultimately ends up in the San Pedro River in Cochise County due to flops through our ranch.

7. The environmental damage to the San Pedro River has harmed me as well. When I was a child, I could swim and wade in the San Pedro River, which I enjoyed very much. The river is part of the San Pedro Riparian National Conservation Area, designated by Congress as a Riparian National Conservation area in 1988. The Conservation area provides an invaluable habitat for hundreds of species of mammals, amphibians, reptiles, and birds. Now it has become a corridor of illegal immigration, and it is contaminated by human waste. It is no longer safe to go into the water for fear of getting sick from E. coli. I also am distressed to think of these habitats being damaged. In order to protect these habitats, the Bureau of Land Management has restricted the areas that citizens may travel in the Conservation area, and yet the illegal aliens crossing willfully violate these rules.

8. The endless border crossing also makes ranching more difficult and expensive. I have about 57 miles of fencing on the property that has been

repeatedly damaged by illegal aliens. One mile of 5 strand barbed wire fence is worth \$10,000, so this is all a substantial financial cost to me. I cannot simply let my fences fall into disrepair, because the cattle need to stay in their own pastures. I spend half my time fixing fences, and checking water lines, gates, and fences for new damage. The human traffic and the Border Patrol vehicle traffic also cause the cattle to move for grazing and water. Their need to walk farther for grazing and water causes them to lose weight. Because they are sold by the pound, weight loss by the cattle results in a financial loss to me. The damage to my land comes not only from the illegal border crossers themselves, but from the Border Patrol. I consider the presence of the Border Patrol in such numbers as a sign of a lack of real enforcement of the law, not a commitment to enforcement. The many discretionary decisions of DHS have dismantled interior enforcement, which encourages people to cross the border in the first place. DHS then ups the presence of the Border Patrol as Americans cry out for more immigration enforcement, despite the fact that increasing interior enforcement would be far more effective and would not cause any environmental damage. The infrastructure DHS has places on the border, wall, street lights, camera towers, has changed the landscape forever.

9. Not surprisingly, given how difficult living and ranching at the border has become, the financial value of my property has declined. In 2013, the estimated

value of our ranch was only 60% of its estimated value in 1983. According to a study by the University of Arizona, it costs 30% more for ranches on the border to operate than ranches 100 miles north. Our labor costs are \$30,000 to \$60,000 a year, and over thirty years, the extra costs of operating a ranch on the border are substantial. For ranchers on the border, damage to property is a daily event. Even the land itself is impacted by the constant stomping of endless waves of crossers. The grass actually stops growing in the places where people have constantly crossed. The trails they have beaten into the property will take several years to heal over once the border crosser traffic stops, and it has never stopped. The ground where grasses no longer grow is an eyesore that reminds me of how much environmental damage I am constantly suffering.

10. Living on my own property has also become more stressful. Waves of constant invaders take an emotional toll on me and my family. Though most of the border crossers want only to cross the border rather than to break into the house, steal, vandalize, or threaten my family physically, I can never take their non-violent intentions for granted. Indeed, as drug cartels have become more and more bold on the border in recent years, living on the border has become scary.

11. Over the years, many people have simply suggested we move, however, this ranch is our home and we have been here for generations. Being on our own property and the emotional ties we have to it make it impossible for us to leave,

despite the constant disruptions to our lives caused by seemingly endless illegal border crossers. My family has lived here since before Arizona was a state—I won't be chased off by people who have no respect for our borders.

12. I blame DHS and its predecessor agency for the environmental degradation my property has suffered and for the interruptions to the peace and tranquility of my home. Citizens of other countries do not simply decide to cross a border illegally in a vacuum—they are responding to the encouragement of seeing those who have come before being allowed to stay and work. I have noticed that the proportion of border crossers who are Central American is much higher than it used to be, and I believe this is because DHS' many discretionary actions and grants of executive amnesty have encouraged them to come. As many border patrol agents have admitted, it is DHS's catch and release policies that encourage unaccompanied minors and families to cross the border. DHS has adopted a myriad of policies that make crossing the border illegally an attractive option: the Morton Memos in 2011, Deferred Action for Childhood Arrivals in 2012, decisions to cut back on worksite enforcement in 2009, and numerous other discretionary actions, have created incentives for entering the country illegally. Any talk of "immigration reform" always causes a spike in crossings. What the federal government seems to ignore, is that the policies adopted by DHS have real, observable impacts on the environment around me.

13. I now believe that these harms may have happened to me because DHS never did any environmental analysis before undertaking any of these discretionary actions—indeed, it never does any environmental analysis that acknowledges that arriving aliens have environmental impacts. By failing to even acknowledge or attempt to analyze the environmental results of their implementation of immigration related policies, DHS, and its predecessor agency the Immigration and Naturalization Service (INS), actually violated the law. In 1970, the National Environmental Policy Act (NEPA) became the law of the land. NEPA required that agencies conduct environmentally informed decision making. It also mandated that agencies provide public transparency and participation of the environmental consequences of their decisions. These mandates apply to all major agency actions unless Congress carves out an exception. However, DHS and the INS before it, simply operate as though there are no significant environmental consequences that follow as a result of their actions in enforcing and implementing the nation's immigration laws due to the environmental impacts of the individuals entering the country. DHS has never done any NEPA analysis that takes into account the environmental impacts of migration.

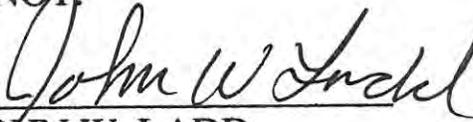
14. A simple look at my land over the past few decades shows that illegal aliens crossing the border have a significant impact on the environment. If DHS had done the proper NEPA analysis of the environmental impacts of its policies

before implementing them, perhaps it would have realized that the environmental costs were too severe. The damages to the environment on my land might never have occurred if DHS and the INS had followed NEPA. Perhaps also if the public had been aware of the environmental consequences of encouraging surges at the border, perhaps DHS would have chosen to stop the influx at the border instead. Today, my land might be as free from environmental degradation as it was when I grew up on my ranch.

15. What makes me even more angry is that not only have I been harmed, but I see no end to the harms I will continue to suffer in the future. DHS continues to show no signs that it intends to prioritize enforcing immigration laws over encouraging a never ending influx of border crossers. I expect the flow to continue and, in many ways, to become more dangerous and harmful to me. Even when numbers of border crossers are relatively down, it tends to be as a result of increased drug running activities on my land. These days, we now see full-sized trucks full of marijuana driven through our ranch. When the drug running activities through my land increase, sheer numbers of people tend to go down, but on the whole this is not an improvement. The drug gangs cause plenty of environmental damage themselves, especially since they often come through on cars rather than on foot, and their threat to my peace and quiet is even worse. They are far more likely to be violent than the waves of economic migrants who trespass across the

end in sight. I never know when the border crossings will get worse. If only DHS would start following NEPA in its future actions, perhaps it would adopt different policies that were more environmentally responsible.

FURTHER AFFIANT SAYETH NOT.



JOHN W. LADD

Subscribed and sworn to before me on 10/03/2016, by JOHN W. LADD. He is personally known to me or has presented Arizona Driver License as identification.



NOTARY PUBLIC
STATE OF ARIZONA
MY COMMISSION EXPIRES

