

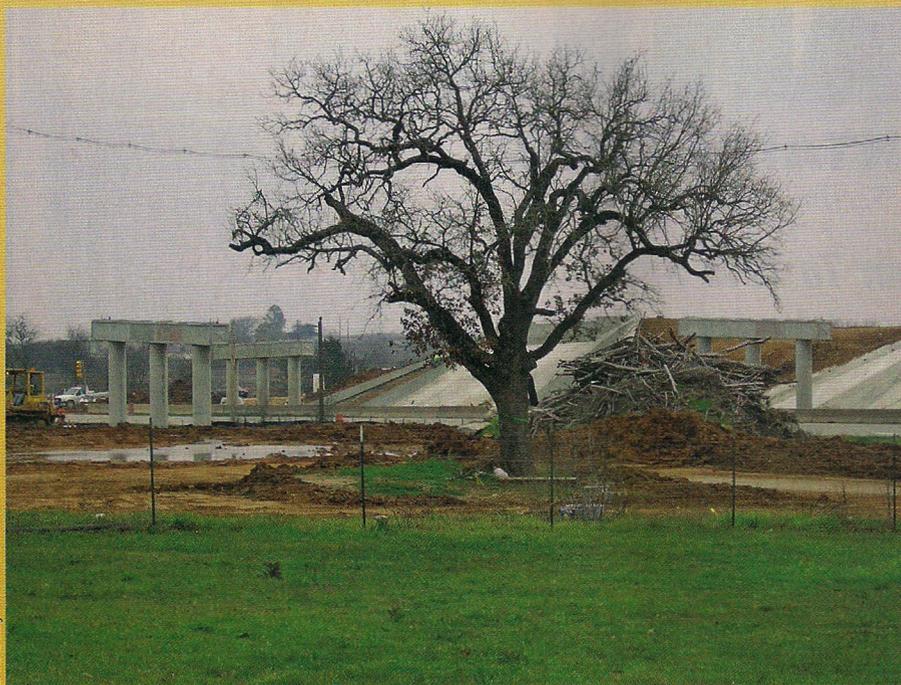
# Paving Over *Our* Borders

The Trans Texas Corridor will open our highways to foreign shipping as part of a plan to undermine our Customs checkpoints, our Border Patrol, and eventually our borders.



Bob Dacy

**Home on the range:** After working for six years to have their ranch certified “organic” and their cattle as genetically pure and hormone free, ranchers Sam Harrell (left) and Bubba Kay saw over half of their ranch taken by the State of Texas for a highway. In exchange, the state paid far less than market price for the land it took.



Bob Dacy

by Kelly Taylor

Nobody loves a ranch like a Texan, and Texans Sam Harrell and Bubba Kay loved theirs, crafted from 290 beautiful Texas acres near Austin. To anyone who has ever lived in, driven across, or even brushed against central Texas in a book, the pull of the land is palpable. To a native Texan, it's lifeblood. But smack-dab in the middle of Harrell Ranch, 174 acres have been lost to a big, ugly slab of concrete, compliments of the Texas Department of Transportation. The highway going through the Harrell Ranch, destined to be part of a superhighway called the Trans Texas Corridor, is just one of a new series of highways set to cut across Texas from south to north. The highways and the effect they will have on landowners and on our country are creating quite a fuss.

In 1993, Sam Harrell, with friend and ranch manager Bubba Kay, established Harrell Ranch and then built a whoppingly successful cattle ranch, unique even among Texas' legendary ranches. Harrell Ranch was the only certified organic ranch in the United States that raised Wagyu, a special brand of non-hormone-treated cattle (NHTC) from Japan's Kobe region. Mr. Kay single-handedly bred these cattle to an unsurpassed level of genetic purity, earning the ranch's sterling reputation, and producing the best all-natural Wagyu beef in the country. The enormous investment of time, money, and energy resulted in a superior product commanding a high price, and rewarded the partners with a highly profitable operation, the satisfaction of a job well done, and the sense of balance that comes after wrangling an agreement with the land. Harrell beef was sold to high-end restaurants and organic food stores nationwide and enjoyed an international market. All was right with the world.

But in 2001, the State of Texas came to call. Sam and Bubba learned a highway

*Kelly Taylor is an Austin-based writer and filmmaker, and the producer of a politically based TV talk show.*

**The NAFTA Superhighway is being built for the express purpose of bringing goods from China and India into the United States and Canada via Mexico, using inexpensive Mexican dockworkers and truckers to bypass and undercut U.S. and Canadian workers.**

was coming, and the Texas Department of Transportation (TxDOT) claimed 174 acres of their ranch for road construction. Through a murky labyrinth of questionable processes and eminent domain, it appropriated prime ranch acreage to build Texas State Highway 130 (SH130), a toll road now bisecting once pristine acres 100 yards from the ranch office.

When we say pristine, we mean it. The land required three years of special treatment to earn the coveted "organic" certification. That certification is tied, not to the cattle raised there, but to the ground.

Harrell ranch acreage met the world's highest standards for raising NHTC. The costly beeves followed, requiring another three-year certification and careful breeding to meet NHTC requirements. A complex control system of cattle growing, segregation at slaughter, tissue sampling, and other steps distinguish this system, but the payoff was impressive. The two men considered this a

special property as it produced a special income, and was a much more expensive outfit than the average Texas ranch. There is no similar ground in Texas. The state, however, didn't see it that way.

The state hired an appraiser to evaluate the property. According to Sam, "Our point of view is that it was special land, but they told us 'we don't care, it's just dirt.'" When an offer was finally made, it was below the land's real value, and Harrell Ranch went to court. A jury upheld the Harrell viewpoint and awarded a figure about three times the state's offer, but still

below market value. Ranch losses alone were bigger than the award. The state appealed, and the case continues.

"What the state offered wasn't fair market value. Even if a competent case is made, they won't change their minds. The process is intellectually dishonest," Sam told THE NEW AMERICAN. What he objects to most is that the state won't allow the landowner to see the standards used to make the offer, yet it won't look at *new information* after its offer is tendered.

The "process" can take a heavy toll. Their case pending, Sam and Bubba are in limbo about the fate of their remaining acres, but maintain genuine concern for their neighbors' predicaments. "The processes the state uses are heavily biased to disadvantage the property owner who can't afford lawyers, consultants, or are emotionally unable to sustain a long, grinding process," Sam said. He was referring to about 600 property owners along the highway segments in question, some of whom are small business owners, retired people, or on limited incomes. He believes the state's strategy is "wait them out."

**Containerized Storage From  
The People Who Invented The Concept**

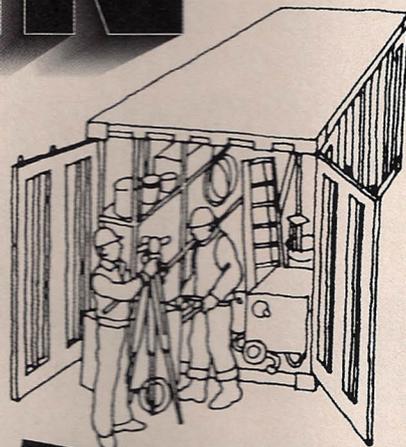
# MARTIN

**CONTAINER, INC.**

*Serving You Since 1976*

**Straight From the Harbor To Your Site  
Refrigerated Units Always Available**

**LENGTHS UP TO 45'  
24-HOUR DELIVERY  
BUY OR RENT**



**REFRIGERATOR/FREEZERS  
ALSO AVAILABLE**

[www.container.com](http://www.container.com)

**1-800-221-3727**

Meanwhile, back at the ranch, things weren't improving. When negotiations began, Sam and Bubba were told they would receive *first* notification of the "day of taking" — plenty of time to find, acquire, and certify a new property. That time allowance was critical for the three-year certification period. When the certification time had elapsed on a new property, only then could cattle be moved, allowing the ranch to minimize both business interruptions and damages. Instead, Harrell Ranch was *last* to be acquired, with absolutely no recovery time. Taking was immediate. This action rendered the outfit "out of business." Cattle had to be liquidated as there was no place to go. "You expect to be lied to in life," says Sam, "but you don't expect your government to do it. I resent that."

Even though the state paid *something* for the part of the ranch it took, the entire property was rendered useless. The asphalt intrusion destroyed ranch access. The entrance is gone, requiring a new road built through a neighbor's property, for which Harrell Ranch was not fully reimbursed

although the state had promised to do so. The remaining land parcels aren't contiguous; some are inaccessible until construction ends and the state provides access. "They're gonna tell you that you have access all the time, they just don't tell you you need a helicopter," Bubba sardonically joked to THE NEW AMERICAN.

Especially critical to any Texas operation is water. Harrell property was entirely irrigated to provide for the cattle while maintaining NHTC standards. Road construction destroyed the expensive irrigation system, and all access to water. This unique property and the animals aren't sustainable on city water.

No wonder Bubba is bitter about the whole thing. He didn't hide his despondency. "I believe we need this eminent domain thing to be able to build highways, but I just don't feel like you need to go away feeling like a whipped dog when they take everything you've got." Sam adds, "We never contested the right to make the road, but the practices weren't right. We were misled. You at least expect your government to play by its own

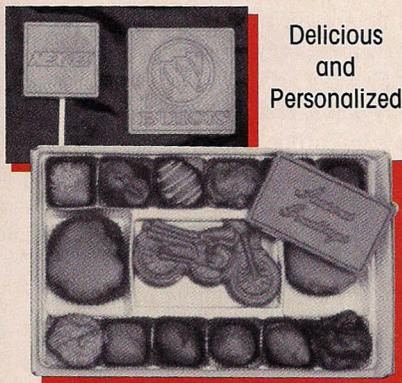
rules. I wish you could look inside the guidelines of TxDOT and see the path that keeps them from dealing fairly."

### One Big Highway

Texans in the path of the Trans Texas Corridor (TTC), a monstrous highway running from Laredo, Texas, to Oklahoma — much of it encompassing a 1,200-foot-wide swath of passenger, freight, and rail capabilities, oil and water pipelines, and electricity and broadband cabling — can look forward to a similar fate. The building of the TTC may be the most contested issue in Texas. Local and state controversy has erupted over the plans for, ownership of, even *need* for the superhighway.

For unfortunate property owners in its path, there's little mercy, as the scope of eminent domain reaches ever-bigger dimensions. TxDOT's own documents revealed this 2004 statement by Coby Chase, TxDOT legislative affairs director: "The number of courts authorized to hear eminent domain cases should be expanded." Sam Harrell recalls a local newspaper article indicating that there's an abnormally

## Custom Chocolates



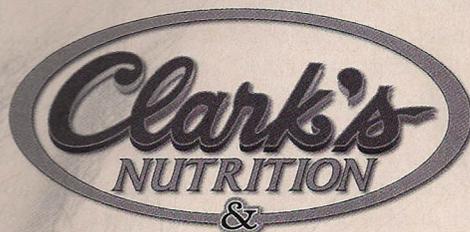
Delicious  
and  
Personalized

Delight your employees, clients, prospects or friends!

Great for Holidays, Thank Yous, Gifts,  
Trade Shows, Company/Logo recognition,  
Attention getters or ... just for fun!

*Morkees*  
CHOCOLATES  
Since 1920

1890 N. Rand Rd. • Palatine, IL 60074  
Phone: 847-359-3454 • Fax: 847-359-3553



## Natural Foods Market

Clark's Nutritional Centers have the vitamins, minerals, herbs and other supplements you need to keep your health and fitness at their highest level, plus all the latest information about them available through our extensive online catalog.

### Locations Serving You:

| RIVERSIDE  | RANCHO MIRAGE  | LOMA LINDA   |
|--|--|--|
| 4225 Market Street<br>Riverside, CA 92501<br>(951) 686-4757<br>Fax (951) 686-5678<br>Deli (951) 686-9970 | 34175 Monterey Ave.<br>Rancho Mirage, CA 92270<br>(760) 324-4626<br>Fax (760) 969-6730 | 11235 Mountain View Ave.<br>Loma Linda, CA 92354<br>(909) 478-7714<br>Fax (909) 478-0814 |

Mail Orders: (800) 251-8996

Online Orders: [www.clarksnutrition.com](http://www.clarksnutrition.com)



Bob Dacy

**Prime beef:** The Harrell Ranch raised a special type of non-hormone-treated cattle called Wagyu. Their efforts to produce the best organic beef led to handsome profits, until Texas took part of their ranch and cut off their water supply.

low number of incidents resulting in case settlements, suggesting many landowners are fighting back.

Texans aren't alone in their woes. The TTC is intended to be interconnected with similar highway infrastructure that connects Mexico's west coast to Canada. Called by its advocates in NASCO (North America's SuperCorridor Coalition) the "NASCO Corridor," it is more well known among its critics as the NAFTA Superhighway. This south-north corridor is unheard of in size and was dubbed the "largest engineering project ever undertaken in the U.S." by NASCO.

The sheer size of the corridor goes far in explaining why it's necessary. Examination of NASCO and other documents reveals that the superhighway is being built for the express purpose of bringing in goods from China and India, which are to be unloaded in a Mexican port and then shipped into the United States and Canada using inexpensive Mexican dockworkers and truckers, bypassing and undercutting U.S. and Canadian workers. This Mexican truck traffic would be unencumbered by border checks until it reaches Kansas City and a so-called *inland* port, or "SmartPort" — as called for by NASCO and a pact between the United States, Canada, and Mexico called the Security and Prosperity Partnership (SPP).

The SmartPort would be operated *within* U.S. borders by Mexican customs officials! KC SmartPort's own website proclaims: "For those who live in Kansas City, the idea of receiving containers nonstop from the Far East by way of

Mexico may sound unlikely, but later this month that seemingly far-fetched notion will become a reality." The website adds that new Mexican shipping rules "could make shipping containers through Lazaro Cardenas [Mexico] up to 15 percent less expensive than through Long Beach or Los Angeles."

The KC SmartPort website insists that expanding traffic through the Mexican port is wise in this age of terrorism in case a U.S. port gets hit by terrorists, but the new system makes attacking the United States easier. "Shipments would be pre-screened in Southeast Asia.... Upon arrival in Mexico, containers will pass through multiple X-ray and gamma ray screenings" and then containers will simply be tracked via "global positioning systems (GPS) or radio frequency identification systems (RFID) ... on their way to inland trade-processing centers in Kansas City and elsewhere in the United States." The trucks would simply stream across our border unchecked by U.S. Customs until they reach a city in the United States.

How hard would it be to subvert this system for illicit purposes? Think of it this way: by putting our Customs personnel for monitoring truck traffic in cities throughout the United States, we are effectively extending our borders the entire distance of those highways to the inland Customs sites. Knowing how poorly our borders are monitored now, does this make sense? People are right to be anxious about that — present relaxed border policy has already caused increased drug traffic, more illegal immi-

grants, gang violence, and more unsafe Mexican trucks and uninsured drivers. The plans for unchecked border traffic threaten national security, increasing entrance opportunities for terrorists and for weapons. Neither Texas nor the nation is equipped to handle the uncontrolled invasion of people and problems the highway will bring without lowering our hard-won standard of living.

### Concerns Are Many and Legitimate

Can this get worse? Yep. A funding mechanism for the TTC, which is the model for all of the future NASCO Corridor projects, is going to be tolls — tolls not only on the planned superhighways but on already-existing and paid-for roads that are slated

to be transformed into toll roads. Also egregiously bad, in the case of the TTC, is the fact that the highway development contracts in Texas have been awarded to a Spanish company, Cintra, in exchange for giving Texas a portion of the toll revenue. According to the *Dallas Morning News*, Cintra will pay about \$1.2 billion to Texas. "In turn," stated the *News*, "the state agrees to allow the company to set and collect tolls on whatever it builds for the next 50 years."

Apart from these valid worries, the risk to national sovereignty is worse. In case it isn't clear, the corridor is intended to do more than speed transport of goods and people, or relieve traffic bottlenecks. *Without this infrastructure, efforts toward building a North American Union are severely hampered.* A similar system already exists in Europe (the Trans European Network), established to physically link all EU countries. The EU is already accused of usurping member states' authority, and many sorely regret their involvement.

After the 2005 signing of the Security and Prosperity Partnership (SPP) between Canada, Mexico, and the United States, a host of documents surfaced revealing the underlying agenda of this massive project's promoters. The SPP documents committed *and directed* U.S. policy toward a continental merger with Canada and Mexico to form a North American Union, and outlined necessary infrastructure. The SPP initiatives call for "facilitating multimodal corridors" toward the "improvement of *North America's* transportation system."

Documents from a September 2006 meeting of the North American Forum directed participants to bring about the merger of the three countries *by stealth*, by focusing attention on building corridor infrastructure instead of on directly promoting a new North American Union, because resistance to such a union is growing.

The owners of the Harrell Ranch are already beginning to see what it's like when government becomes unaccountable and runs roughshod over individuals. Until the Harrell Ranch case is settled by the courts, nothing can be done with the remaining property; 18 of 1,100 cattle remain, but genetic purity has been lost. Ironically, the present is mimicking the past. An ancestor of Sam, Jacob Harrell, came to Texas and settled as one of the first five families of Austin's colony, choosing a spot very near the present ranch location. When Stephen F. Austin established his colony, those pioneers came for cheap and plentiful land, freedom and prosperity, and "paid a high price for risky choices." In April of 1836, during Texas' bitter Independence War, the early Texans fled their homes in ad-

vance of Santa Anna's Mexican army as he attempted to conquer Texas following the defeat of the Alamo. It doesn't quite seem fair that Sam Harrell and Bubba Kay should still be having to do that same thing today.

But there is hope. Public outrage prompted several Texas lawmakers to introduce legislation opposing the TTC. Two bills filed by state Representative Lois Kolkhorst show promise. H.B. 2772 would set in place a two-year moratorium preventing TxDOT from entering construction or funding contracts with a private company. H.B. 3647 would force the Texas Attorney General to examine the North American Union and NAFTA so the public will know the far-reaching consequences of the super corridor.

Representative Kolkhorst says, "If passed, H.B. 3647 will require our Texas Attorney General to issue the first-ever report to the legislature about how international organizations and agreements are possibly pushing agendas that restrict or

**Public outrage has prompted several Texas lawmakers to introduce legislation opposing the Trans Texas Corridor. State Rep. Lois Kolkhorst has led the way.**

override our state and federal laws. For instance, my office was told by a lobbyist that they were going to try to kill a bill recently because it was violating NAFTA. Texas is a large border state and if there are international efforts to affect our state policies, we need to know about them. Texans need to know if there's a situation where unelected and unaccountable groups are attempting to create our state or federal agenda."

While it's too late for Harrell Ranch, others might be spared if these bills pass. More importantly, if the corridor is stopped in Texas, it is stopped. For all the Sam Harrells and Bubba Kays, we'll remind TxDOT of its own campaign slogan, "Don't mess with Texas." ■

