

Rio Grande Citizens Forum  
January 19, 2012  
Elephant Butte Irrigation District Board Room  
Las Cruces, NM  
Meeting Notes\*

Board Members in Attendance

Conrad Keyes, Jr., Paso del Norte Watershed Council  
Danny Chavez, Hudspeth County Conservation and Reclamation District #1  
Carl Clark, City of Las Cruces  
John Cordova, Raba Kistner  
Dale Reinhardt, Mayor of Clint, TX  
Travis Johnson, El Paso resident  
Kevin Vonfinger, El Paso County Ecotourism Committee  
Sal Masoud, Del Rio Engineering, El Paso Association of Builders  
Joe Gonzalez, Doña Ana Soil and Water Conservation District, Gonzalez Family Dairy  
Martha Gomez (alternate for Mary Frances Keisling), Save the Valley  
Valerie Beversdorf, Elephant Butte Irrigation District (EBID)  
John Balliew, El Paso Water Utilities

USIBWC Staff in attendance:

Carlos Peña  
Sally Spener  
Hayley Goodstein  
Andrea Glover  
Gabriel Duran  
Gilbert Anaya

Members of the Public in Attendance:

Mohammad Nash, Bureau of Land Management (BLM)  
William Little, City of Las Cruces Utilities  
Chris Canavan, New Mexico Environment Department (NMED)  
Jaime Rodriguez, City of Las Cruces  
Peter Bennett, City of Las Cruces  
Emily Bennett, Las Cruces Public Schools  
Harold Parks, resident  
Kevin Bixby, Southwest Environmental Center  
Janet Ackerman, LTC  
Charlie Powell, Lakeshore Engineering  
Jamie Harrell, Lakeshore Engineering  
Joan Woodward, resident  
Luzma Nava Jimenez, New Mexico State University (NMSU)  
Mike Gaglio, High Desert Native Plants  
Brian Claybourn, Tetrattech  
Leslie Piper, consultant  
Paul Dugie, Doña Ana County Flood Commission  
Matt Dyer, PSC  
Brian Hanson, Watershed Coordinator, New Mexico Department of Agriculture, NMSU

Andrea Mendoza, Office of the State Engineer  
Sheryl Thacker, Office of the State Engineer  
Lew Goodpasture, resident  
Student  
Xochitl Torres, Office of Sen. Udall  
Dan Robillard, resident  
Jack Diehl, resident  
Mike Landis, Reclamation  
Woody Irving, Reclamation  
Mrs. Johnson, El Paso resident  
Dael Goodman, resident  
David Morris, water user  
Nick Carson, Kit Carson Farms  
Adrian Aizpurn, Border Patrol community liaison agent  
Maria Cisneros, U.S. Environmental Protection Agency

### Welcome and Introductions

Rio Grande Citizens Forum Co-Chair Conrad Keyes, Jr. called the meeting to order. He asked the board members and the members of the audience to introduce themselves.

### Update on Water Quality in Southern New Mexico

Brian Hanson, Paso del Norte Watershed Council and NMSU/NMDA, and Chris Canavan, NMED, gave the presentation on this topic.

Mr. Hanson began the presentation. It's a 2-year project funded by a grant to the Paso del Norte Watershed Council, for the Lower Rio Grande of New Mexico. The grant looked at bacterial source tracking, water quality monitoring in the Rio Grande, and outreach. In 2004, the New Mexico Environment Department (NMED) found bacterial exceedances in the Rio Grande. That prompted additional interest in the issue.

The Elephant Butte Irrigation District (EBID) has been collecting monthly water quality samples in the river for two years. The lab analyzes samples for *E. coli*. New Mexico State University has modeled *E.coli* concentrations and analyzed water quality data and collected 400 water samples for a source tracking study. The *E. coli* samples are sent to a lab to determine what animal it comes from. *E coli* comes from any warm-blooded animal, including birds. We also want to see if there are "hot spots" along the river contributing to *E. coli*. Outreach was done during 2010 and 2011. We had a watershed tour from Selden Canyon to Las Cruces where we stopped and discussed water quality issues at different spots along the Rio Grande. There was also outreach among students and at community festivals and events.

Mr. Canavan then continued with the presentation. For the last 10-15 years there have been studies indicating bacteria in the Rio Grande. *E coli* is considered an indicator organism and it may indicate the presence of other viruses or contaminants. We grow fresh fruits and vegetables in the Valley, which is another reason we want to look at this. We have been having stakeholder meetings with participation from IBWC, BLM, EBID, a private contractor, county, city, and Doña Ana Soil and Water Conservation District.

A watershed-based plan will be developed to address possible sources of *E. coli* and best management practices to reduce *E. coli*. Potential sources of *E. coli* include: impervious surface/parking lot runoff, urbanized high-density areas (grease, restaurant oil, sediment, etc.), municipal point source discharges (like wastewater treatment plants), on-site treatment systems (septic tanks, cesspools),

confined feeding operations (CAFOs), waste from pets, rangeland grazing, waste from waterfowl, and waste from wildlife other than waterfowl.

It appears that septic tanks and cesspools are not a likely source in this part of the Rio Grande although it is a big concern in other areas.

All big CAFOs are subject to regulations that control contamination but those with less than 1000 animals are not subject to the same regulations.

Pet waste is a concern. In Albuquerque 22 percent of *E. coli* contamination came from canines.

Impacts from grazing can be reduced by reducing erosion stormwater flows and establishing vegetative buffers along the river.

A study in Albuquerque found that 33 percent of *E. coli* bacteria came from avian sources.

Measures that will help: ensure best management practices are effective, sources of *E. coli* are contained and treated, water treatment plants are in compliance, leaky septic systems are replaced with centralized sewage treatment, land management (allowing buffers and infiltration) stops *E. coli* from entering the waterway, education and outreach. There are some indications that wastewater treatment plants not in compliance could be a source.

If you manage stormwater and flood flows, you can help manage pollutant loading, including that from bacteria.

Mr. Hanson then continued the presentation. Two approaches that can help in urban areas include green infrastructure and low-impact development. Green infrastructure is a way to use the natural environment and vegetation to help with flow problems in urban areas, connecting hubs of vegetation helps to manage flows as they go down. Green infrastructure includes constructed features that use living vegetation to capture, clean, and infiltrate runoff. Low-impact development intends to control runoff in smaller areas and have it infiltrate into the groundwater. It manages the stormwater in smaller units, with landscape features located on each lot rather than being conveyed to large, costly holding structures.

A watershed-based plan should come out in the fall of this year and will incorporate stakeholder input.

Joe Gonzalez – Is this presentation on your web site?

Hanson – Not yet.

Sally Spener (USIBWC) – We will put it on the USIBWC web site, listed under the Rio Grande Citizens Forum.

Canavan – Consultants will be presenting data to us in 4-6 weeks. A preliminary look at the data suggests that about half of the exceedances are associated with stormwater runoff, especially in the upstream areas.

Hanson – We will also get the source tracking information.

Canavan – In the plan we want to identify the sources of the *E. coli*, what animal and where in the watershed it is coming from and then coming up with solutions in the plan to mitigate it. We want to have concepts in the plan that could be adopted by some local people.

Conrad Keyes, Jr. – How much more data do we have now than 5 years ago?

Canavan – The data we had before was the 2004 NMED study, IBWC data, and information from El Paso Community College. The irrigation district in the last few years has collected data from drains and the stream so we have more data now. Along with the other data collected for this project, we have a lot more information than we used to.

Mike Landis – You mentioned exceedances in the Sunland Park area. Originally sewage in Santa Teresa was to be managed and treated by a private company but that didn't work out. Now that sewage is pumped to Sunland Park and treated there, is it their fault if they had to pick up the burden and treat sewage they weren't originally intending to treat?

Canavan - I don't have much information on that situation. It is my understanding that any permitted facility is just required to operate within the permit. Sunland Park has reported 9 exceedances of their permit and state water quality standards over the last few years. As far as I know, nothing has happened.

#### Rio Grande Canalization Flood Control Project: River Restoration Implementation

Gilbert Anaya, Chief of the USIBWC's Environmental Management Division (EMD) announced that USIBWC Environmental Protection Specialist Daniel Borunda's last day is tomorrow. He's moving to Colorado to work for the Western Area Power Administration. He worked with many of you over the years.

The focus of the Record of Decision is the portion of the Rio Grande from Caballo Dam to American Dam, what is known as the Rio Grande Canalization Project. We prepared an Environmental Impact Statement and issued a Record of Decision (ROD), the legally-binding document that commits IBWC to undertake certain activities. Commissioner Ruth signed the ROD in 2009. We assigned a 10-year timeline in the ROD, identified the areas we were going to restore, and started to evaluate those areas to see what is the most cost effective and gives us the most benefit for our resources. Related studies have been ongoing.

Key aspects addressed in the ROD include environmental improvements such as discontinuation of almost all grazing leases unless they have certain management practices that protect the environment of the floodplain. The ROD also addresses aquatic and terrestrial restoration projects and recreational opportunities. We have to meet the requirements of the Endangered Species Act. It is a rethinking of how we manage the project with the assurance we will convey waters to Mexico under the 1906 Treaty and provide flood protection for landowners. It also discusses channel management and vegetation.

For the restoration aspect of the plan, we are going to do the bulk of the work on IBWC lands. We will explore restoration on private land in the future. We contracted with U.S. Fish and Wildlife Service (USFWS). We have 5 of the 30 sites identified as the pilot projects for the restoration activities we are going to be conducting. The sites are Crow Canyon A, Crow Canyon B, Broad Canyon Arroyo, Leasburg Extension Lateral Wasteway, and Mesilla East. In partnership with USFWS, they are going to remove salt cedar and restore native vegetation. Southwestern Willow Flycatchers, an endangered bird species, have been found on the Crow Canyon site. These will be the first ones to determine our success rate.

There is a site upstream from Hatch, about 10 acres. A typical restoration site will include salt cedar removal. There is a good potential of water through shallow water table or by cutting the banks to allow water to go on the floodplain, or transfer of water rights through purchase to irrigate the lands occasionally. We are targeting to restore a total of 550- 600 acres approximately.

Another key item is the environmental water rights framework. Working with New Mexico Audubon and the irrigation districts, we want to fulfill the Endangered Species Act requirements and ensure that those who provide us with water rights will not be in a situation in times of drought where they would not be able to irrigate.

We have been working with a "ROD" group monthly. We are working to update our hydraulic model to see if we can determine hot spots for targeted channel maintenance such as upstream from Mesilla Dam or at arroyo confluences. But the ROD says we have to ensure we have a scientific basis for dredging and channel maintenance.

There was a notice published in the Federal Register that targeted the Rio Grande Basin as critical habitat for the Southwestern Willow Flycatcher. If there is critical habitat, you have to protect it. We are ahead of the process. The issue in Albuquerque with the silvery minnow is a challenge in terms of maintaining the system and protecting the species. We want to make sure USFWS looks at the

project and allows us to continue the process to go through Section 7 consultations to present our plan and request that we be allowed to implement it. We submitted our Biological Assessment, which is our plan, and we hope they will accept it and issue the Biological Opinion. This year we started placing signs on the restoration sites so people are aware. We will demarcate all 30 restoration sites this year.

Broad Canyon was not in the original 30 sites but it became a viable site so USFWS is preparing the Environmental Assessment. Then they asked us to take the lead. We issued the notice in the Federal Register so we will adopt that site for restoration. It is out for public comment for 30 days. The National Fish and Wildlife Foundation is the entity helping with the water rights framework. We are also interested in partnering with Reclamation.

Kevin Vonfinger – Are you looking for sites like the area from Sunland Park Bridge north to Frontera that we cover naturally so you don't have to invest time and resources for restoration?

Anaya – We tried to purchase one property and the deal fell through. There is a feasibility study about a constructed wetland in Sunland Park. Reclamation is interested and has indicated it's suitable for our restoration so we are looking at it. It's conceptual now so the parties would have to come together.

Kevin Bixby – Is the ROD group, is that an internal IBWC group?

Anaya – We have representatives from the New Mexico Senators' offices, New Mexico Audubon, IBWC, and EBID. It was created to provide updates to representatives to report on what we are doing; that is the focus of the group. It is a way to be proactive in providing updates to groups about what we are doing to implement the ROD. This is in addition to providing information at Citizens Forum and Watershed Council meetings. It's a small group. Work on water rights transfers is being done by EBID, Audubon, and the Wildlife Foundation. We are trying to assure that EBID is comfortable with that agreement and consistent with what USFWS is looking for. It's a win-win for everybody. It is small and focused on specific activities.

Bixby – You mentioned results of the model update might inform your new dredging policy. What about your mowing policy?

Anaya – We are not mowing any of the restoration sites. Our field offices did mow the non-restoration sites for floodplain maintenance. There was a question about a riparian area that was mowed and we did stop that, we are going to re-evaluate that. Currently mowing should meet our requirements for flood protection and conveyance of water to Mexico. Modeling will serve that purpose as well as to confirm that the riparian buffers and restoration sites are consistent. Right now we won't mow the riparian area until we get those answers.

Member of the public – We have been concerned about overzealous mowing in peak of nesting season. It's fallen on deaf ears but we are concerned about it.

Anaya – We met with our field office crews in El Paso and Las Cruces and we explained the change since the ROD has been in place. We are changing it so that the majority of mowing is occurring outside of the nesting season.

Carlos Peña (USIBWC) – If we have to mow during the nesting season, we identify an environmental monitor to ensure we mark any active nests that we may encounter.

Mike Gaglio – So the ROD group is a public stakeholder group. Could interested members of the public attend?

Anaya – It's not private. We meet during the workday. It's a very focused one-hour meeting.

### Upper Rio Grande Flood Control Projects

Andrea Glover, USIBWC Civil Engineer – Construction, gave this presentation.

Current levee projects in the area are:

Hatch – 13.7 miles of levee will be completed at the end of this month. We are awaiting delivery of three sluice gates. The levee was raised and rehabilitated and will meet FEMA specifications.

Mesilla Levee Phase I - From north of Shalem Colony Bridge to Vado Bridge. Construction is over 90% complete. We expect levee construction to be 100% complete by the end of March. They are currently working between Shalem Colony and Picacho.

Mesilla Phase II – on the east side of river from south of Leasburg to Mesilla Dam. A stop work notice was issued in October. They should be starting up again very soon. We did not have confidence in the levee and material so, because of that, we are going to have some delay but expect it to be finished in April.

Canutillo – Vado to Borderland Bridge, 28.6 levee miles. They will soon start work on the floodgates. They are done with the levee work and are doing some seeding, which looks like they painted the levee green.

Sunland Park – Borderland Bridge to Sunland Park/power plant, 11.8 miles of levee. This project is behind. They were anticipated to finish in February. We anticipate they will finish in May. They just finished the Borderland Bridge floodgate. They will be doing the same thing to Country Club Bridge in March, a 10-day closure.

Vado levee design – 1.1 miles of levee just south of Vado Bridge where the river is by the railroad tracks. We will move the river away from the railroad tracks. Design is complete. Construction estimated in 2013.

Canutillo Phase II – design 5.7 miles of levee. It will probably be broken into 4 construction contracts during 2014-2017. It poses a number of design challenges. Design is going to be completed in the near future.

Courchesene and NEMEXAS - 3.8 miles of levee, small areas that are difficult. Design should be done by March. Estimate to construct in 2-3 construction contracts in 2018-2020 subject to available funding.

Ysleta to Fabens – Design for 15.7 miles of levee. Plan to be awarded this year for construction. Design is complete.

Peña – Will we be sending out notices on the bridge closures?

Spener (USIBWC)– Yes. It goes out to the neighborhood associations and other media contacts.

Peña – Canutillo Phase II, is that where there is a railroad line and we are going to put in a floodwall?

Glover – Yes.

Peña – How do you address getting water over the levee?

Glover – It is the responsibilities of the cities/counties. Our engineers are working with them on trying to tie in the local drainage so it can drain into the river.

Masoud – Sunland Park portion of the levee was one of the first to get started but it is only 34% complete.

Glover – It was actually one of the last ones to be awarded. This contractor chose to do all of the secondary features first. They are doing the earthwork on the levee last.

Masoud – When I got on the board, they were working in that area.

Glover – That was IBWC in-house O & M work.

Masoud – If Canutillo is going to take until 2017, how does that affect the certification process? We are concerned from the sense that FEMA has those maps and has delayed them until the hydrology is looked at again.

Glover – FEMA has put out their proposed new procedures for public comment until the end of the month.

Masoud – Where can I get information about that?

Paul Dugie (Doña Ana County Flood Commission) – It's on the FEMA website and in the Federal Register. There are four different criteria they are considering. It will be better than the "no levee"

scenario they showed before. Notification was done Dec. 15, 2011 for a 45-day period so you have until the end of this month to get your comments back to FEMA.

Glover – If FEMA adopts the new criteria then they will see that the west side at Canutillo is protected.

Member of the public – What does IBWC anticipate if we get a repeat of August 2006 this summer?

Spener (USIBWC) – Our levees did their job in 2006. The flooding that occurred was due to local drainage problems. It was not river flooding.

#### Update on USIBWC Master Planning

Gabriel Duran, Engineer Planner for USIBWC, gave an update on the issues being worked on by the USIBWC Master Planning program.

Our levees have worked. The storm of record was in 1958 and we had problems in the Courchesne Reach. The Army had to sandbag along the railroad tracks and that area is being addressed with our current design effort. Unless we get a storm stronger than 1958, our levees will work. In the Lower Rio Grande Valley, we had flood conditions in 2010 but we did not have levee failures. We have accomplished a great deal of work in this area and in the Lower Rio Grande Valley. We have accomplished in two years what we had expected to take 20 years.

Commissioner Drusina wants Planning to go out and talk to communities and that's why I'm here today. Earmarks in Congress are no longer allowed. So the idea is for regionalization, to form coalitions to identify projects in our area. In planning meetings with the U.S. Army Corps of Engineers (USACE), they have Ecosystems of National Significance but the list doesn't include any in the Southwest. What they have included are the Gulf Coast, Everglades, and Chesapeake Bay. We are trying to get in this Ecosystem of National Significance program. USACE has about a half-billion dollars to implement programs in these areas. We are going to work to try to get with the Council on Environmental Quality (CEQ) to push forward and try to get these areas designated an Ecosystem of National Significance.

Keyes – Are you going to go to the USACE meeting in Austin in March about Rio Grande ecosystem restoration?

Duran – We will make an effort to attend. The USIBWC Commissioner wants to form watershed initiatives. Along the international boundary there are substantial problems that need to be addressed. For example, in the Tijuana River basin, people dump material and then it flows into the United States. On the U.S.-Canada border, they came up with a watershed initiative. In this general area, we have responsibility to deliver water to Mexico. If you want to get something done in your area, we need to start forming coalitions.

#### Public Comment

Paul Dugie (Doña Ana County Flood Commission) – There is the South Central New Mexico Stormwater Management Coalition, which combines various soil and water conservation districts, EBID, and local governments. The Joint Powers Authority proposal was sent to Santa Fe and it has just been approved. We will start working together to form a board to move forward with floodplain management and stormwater management regionally.

Beverdsdorf – The idea is to have a regional approach.

Dugie – April 16-17 the New Mexico Dam Owners Association will meet in Ruidoso to talk about their O & M requirements through the Office of the State Engineer emergency action plan, levee and FEMA floodplain issues, dam safety, etc.

Keyes – Spener of USIBWC will send out the announcement to the Citizens Forum board.

Travis Johnson complimented the group on the successful meeting and the good presentations. .

### Suggested Future Agenda Items

The next meeting of the Rio Grande Citizens Forum will be April 19 at USIBWC Headquarters, 4171 N. Mesa Street, Building C, El Paso, TX 79902.

Masoud – Rio Grande Flood Control Projects update

Balliew – Waterline replacement project along Paisano by the Asarco plant. A member of the public had requested information about it.

Keyes and Masoud – Would like an update from Mr. Shubert of the City of El Paso on the FEMA issues.

Mike Landis (Reclamation) – By April we can give a more realistic outlook on runoff and irrigation season.

Keyes – The conceptual proposal on the wetlands project (previously mentioned in the meeting as a project Reclamation is interested in at Sunland Park).

Keyes – Would like to get the South Central New Mexico Stormwater Coalition to come back six months from now to discuss where they are.

Keyes – Another suggestion is the next TMDL notice for Texas.

\*Meeting notes are tentative and summarize in draft the contents and discussion of Citizens Forum Meetings. While these notes are intended to provide a general overview of Citizens Forum Meetings, they may not necessarily be accurate or complete, and may not be representative of USIBWC policy or positions.